



1 Procedure, any statutory summary proceeding, any extraordinary  
2 remedy, the docketing of civil appeals or any other action, cause,  
3 suit or proceeding, \$145, of which \$30 of that amount shall be  
4 deposited in the Courthouse Facilities Improvement Fund created by  
5 section six, article twenty-six, chapter twenty-nine of this code  
6 and \$10 shall be deposited in the special revenue account created  
7 in section six hundred three, article twenty-six, chapter forty-  
8 eight of this code to provide legal services for domestic violence  
9 victims;

10 (2) For instituting an action for medical professional  
11 liability, \$260, of which \$10 of that amount shall be deposited in  
12 the Courthouse Facilities Improvement Fund created by section six,  
13 article twenty-six, chapter twenty-nine of this code;

14 (3) Beginning on and after July 1, 1999, for instituting an  
15 action for divorce, separate maintenance or annulment, \$135;

16 (4) For petitioning for the modification of an order involving  
17 child custody, child visitation, child support or spousal support,  
18 \$85; and

19 (5) For petitioning for an expedited modification of a child  
20 support order, \$35.

21 (b) In addition to the foregoing fees, the following fees  
22 ~~shall~~ may likewise be charged and collected:

23 (1) For preparing an abstract of judgment, \$5;

24 (2) For any transcript, copy or paper made by the clerk for  
25 use in any other court or otherwise to go out of the office, for  
26 each page, \$1;

1           (3) For issuing a suggestion and serving notice to the debtor  
2 by certified mail, \$25;

3           (4) For issuing an execution, \$25;

4           (5) For issuing or renewing a suggestee execution and serving  
5 notice to the debtor by certified mail, \$25;

6           (6) For vacation or modification of a suggestee execution, \$1;

7           (7) For docketing and issuing an execution on a transcript of  
8 judgment from magistrate court, \$3;

9           (8) For arranging the papers in a certified question, writ of  
10 error, appeal or removal to any other court, \$10, of which \$5 of  
11 that amount shall be deposited in the Courthouse Facilities  
12 Improvement Fund created by section six, article twenty-six,  
13 chapter twenty-nine of this code;

14           (9) For postage and express and for sending or receiving  
15 decrees, orders or records, by mail or express, ~~three times the~~ the  
16 actual amount of the postage or express charges;

17           (10) For each subpoena, on the part of either plaintiff or  
18 defendant, to be paid by the party requesting the same, 50¢;

19           (11) For additional service for plaintiff or appellant where  
20 any case remains on the docket longer than three years, for each  
21 additional year or part year, \$20; and

22           (12) For administering funds deposited into a federally  
23 insured interest-bearing account or interest-bearing instrument  
24 pursuant to a court order, \$50, to be collected from the party  
25 making the deposit. A fee collected pursuant to this subdivision  
26 shall be paid into the general county fund.

1 (c) The clerk shall tax the following fees for services in any  
2 criminal case against any defendant convicted in such court:

3 (1) In the case of any misdemeanor, \$85; and

4 (2) In the case of any felony, \$105, of which \$10 of that  
5 amount shall be deposited in the Courthouse Facilities Improvement  
6 Fund created by section six, article twenty-six, chapter twenty-  
7 nine of this code.

8 (d) The clerk of a circuit court shall charge and collect a  
9 fee of \$25 per bond for services rendered by the clerk for  
10 processing of criminal bonds and the fee shall be paid at the time  
11 of issuance by the person or entity set forth below:

12 (1) For cash bonds, the fee shall be paid by the person  
13 tendering cash as bond;

14 (2) For recognizance bonds secured by real estate, the fee  
15 shall be paid by the owner of the real estate serving as surety;

16 (3) For recognizance bonds secured by a surety company, the  
17 fee shall be paid by the surety company;

18 (4) For ten-percent recognizance bonds with surety, the fee  
19 shall be paid by the person serving as surety; and

20 (5) For ten-percent recognizance bonds without surety, the fee  
21 shall be paid by the person tendering ten percent of the bail  
22 amount.

23 In instances in which the total of the bond is posted by more  
24 than one bond instrument, the above fee shall be collected at the  
25 time of issuance of each bond instrument processed by the clerk and  
26 all fees collected pursuant to this subsection shall be deposited

1 in the Courthouse Facilities Improvement Fund created by section  
2 six, article twenty-six, chapter twenty-nine of this code. Nothing  
3 in this subsection ~~may be construed as authorizing~~ authorizes the  
4 clerk to collect the above fee from any person for the processing  
5 of a personal recognizance bond.

6 (e) The clerk of a circuit court shall charge and collect a  
7 fee of \$10 for services rendered by the clerk for processing of  
8 bailpiece and the fee shall be paid by the surety at the time of  
9 issuance. All fees collected pursuant to this subsection shall be  
10 deposited in the Courthouse Facilities Improvement Fund created by  
11 section six, article twenty-six, chapter twenty-nine of this code.

12 (f) No clerk shall be required to handle or accept for  
13 disbursement any fees, cost or amounts of any other officer or  
14 party not payable into the county treasury except on written order  
15 of the court or in compliance with the provisions of law governing  
16 such fees, costs or accounts.

NOTE: The purpose of this bill is to alter the mandatory nature of certain fee collections and to remove the requirement that the circuit court charge three times the amount of actual postage when mailing documents.

Strike-throughs indicate language that would be stricken from the present law and underscoring indicates new language that would be added.