

COURT COSTS AND FEES CHART

The costs listed below are effective **July 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted, and unless subject to the "waiver exception" of G.S. 7A-304(g), as enacted by House Bill 22, § 63.(b). Costs in other legislation that take effect after July 1, 2011, will be included in subsequent updates to this chart. Changes to costs and fees are shaded and in blue. The relevant legislation for each new or amended cost item is cited in brackets. Line items citing only a bill section (e.g., "[§ 31.23.(a)]") refer to sections of S.L. 2011-145 (House Bill 200).

An additional, summary chart of criminal costs has been attached to this cost chart as "Appendix - Criminal Costs Summary." The appendix summarizes the basic costs common to all dispositions in a particular trial division. It does **not** include additional cost items that must be assessed depending on individual factors for each case (e.g., FTA fees, supervision fees, jail fees, etc.), nor does it apply to offenses for which the relevant statute assesses specific costs or prohibits the imposition of costs.

CRIMINAL COURT COSTS G.S. 7A-304, unless otherwise specified			AMOUNT
DISTRICT COURT (including criminal cases before magistrates)			
• General Court of Justice Fee. [§ 31.23.(a)]	General Fund	127.05	129.50
	State Bar Legal Aid Account (LAA)	2.45 ¹	
• Facilities Fee.			12.00
• Phone Systems Fee.			4.00
• LEO Retirement/Insurance.			7.50
• LEO Training and Certification Fee.			2.00
TOTAL			155.00
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).			+10.00 ²
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).			+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.			+5.00
SUPERIOR COURT			
• General Court of Justice Fee. [§ 31.23.(a)]	General Fund	152.05	154.50
	State Bar Legal Aid Account (LAA)	2.45 ¹	
• Facilities Fee.			30.00
• Phone Systems Fee.			4.00
• LEO Retirement/Insurance.			7.50
• LEO Training and Certification Fee.			2.00
TOTAL			198.00 ³
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).			+10.00 ²
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).			+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.			+5.00

¹ The portion of the General Court of Justice (GCJF) fee allocated to the State Bar's Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar's Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. The \$0.95 designated for the Bar's Domestic Violence Victim Assistance fund, G.S. 7A-474.19, is unchanged. Therefore the Bar's portion of the criminal GCJF is now a total of \$2.45. The remainder of the GCJF is remitted to the General Fund. The NCAOC's Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

² The additional Chapter 20 fee does not apply if the offense in question carries specified costs (e.g., front seat belt offenses, G.S. 20-135.2A(e)) or is exempt from court costs altogether (e.g., failure to turn headlights when windshield wipers are on, G.S. 20-129(a)(4)).

³ When a person convicted of a felony in Superior Court has made a first appearance in District Court, all Superior Court costs plus the District Court General Court of Justice fee shall be assessed. G.S. 7A-304(a)(4).

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OTHER CRIMINAL FEES	AMOUNT
Appointment of Counsel Fee for Indigent Defendants. G.S. 7A-455.1. ⁴	60.00
Civil Revocation Fee. G.S. 20-16.5(j).	100.00
Community Service Fee. G.S. 15A-1371 and G.S. 143B-262.4.	250.00
Continuous Alcohol Monitoring Fee. G.S. 15A-1374 and G.S. 20-179. ⁵	Up to 1,000.00
Criminal Record Check Fee. G.S. 7A-308(a)(17).	25.00
Dispute Resolution Fee. G.S. 7A-38.3D and G.S. 7A-38.7. ⁶ [§ 31.24.(d).]	60.00 per mediation
Expunction Fee. G.S. 15A-145. ⁷	125.00
Expunction Fee. G.S. 15A-145.2. ⁸	65.00
Failure to Appear Fee. G.S. 7A-304(a)(6). ⁹	200.00
Failure to Comply Fee. G.S. 7A-304(a)(6). ¹⁰	50.00
House Arrest with Electronic Monitoring Fee (as a condition of probation). G.S. 15A-1343.	90.00
Installment Payments Fee. G.S. 7A-304(f). ¹¹	20.00
Jail Fees (pre-conviction). G.S. 7A-313.	5.00 per 24 hours or fraction thereof
Jail Fees (split sentence served in local facility). G.S. 7A-313 and G.S. 148-29.	40.00 per day
Limited Driving Privilege Fee – Petitions under G.S. 20-20.1. <div style="text-align: right;">At Petition/Application: If Issued: (G.S. 20-20.2)</div>	CVD Costs 100.00 (in addition to CVD costs)
Limited Driving Privilege Fee – Other than under G.S. 20-20.1. <u>Note:</u> If there is no underlying conviction in the county, charge civil filing fees as explained on form AOC-CV-350. <div style="text-align: right;">If Issued: (G.S. 20-20.2)</div>	100.00
Pretrial Release Service Fee (county). G.S. 7A-304(a)(5). ¹²	15.00
Satellite-Based Monitoring Fee for Sex Offenders. G.S. 14-208.45.	90.00
SBI Lab Fee. G.S. 7A-304(a)(7).	600.00
Local Government Lab Fee. G.S. 7A-304(a)(8).	600.00

⁴ This fee is due only if the defendant has been convicted. Of the total fee, \$55.00 is credited to the Indigent Persons' Attorney Fee Fund, and \$5.00 is credited to the Court Information Technology Fund.

⁵ This fee is remitted to the system vendor.

⁶ This fee applies to cases resolved through community mediation. S.L. 2011-145 does not change the amount of the fee. Rather, it amends G.S. 7A-38.7 to provide that the fee is to be remitted to the "Mediation Network of North Carolina," rather than to the State Treasurer. FMS will be updated to specify the new payee on the account for this fee (24315) when producing checks.

⁷ This fee does not apply to a person who files an expunction petition as an indigent. It also does not apply to petitions for expunction under G.S. 15A-146, 15A-147, 15A-148, or 15A-149.

⁸ This fee does not apply to a person who files an expunction petition as an indigent. It also does not apply to petitions for expunction under G.S. 15A-145.3.

⁹ This fee applies to a failure to appear after 20 days in any criminal or infraction case, not just motor vehicle cases.

¹⁰ This fee applies to a failure to comply after 20 days in any criminal or infraction case, not just motor vehicle cases.

¹¹ Unless otherwise ordered by the court, this fee must be assessed when a defendant with monetary obligations in a criminal judgment does not make payment in full on the date costs are assessed.

¹² The pretrial release services fee of G.S. 7A-304(a)(5) may be assessed upon conviction and remitted to a county providing pretrial release services, if the defendant was accepted and released to the supervision of a county agency. This fee is separate from and in addition to any fees assessed directly by the county under G.S. 7A-313.1 when the defendant has received pretrial electronic monitoring by a county agency. S.L. 2011-378. If the defendant has been accepted and released to the supervision of a county agency that provides pretrial services that include electronic monitoring, the court should assess and receipt **only** the \$15.00 pretrial services fee upon conviction. Any fees assessed for electronic monitoring under G.S. 7A-313.1 must be paid directly to the county by the defendant.



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OTHER CRIMINAL FEES	AMOUNT
Seat Belt Violations (adult, front seat) and Motorcycle/Moped Helmet Violations. ¹³ G.S. 20-135.2A and G.S. 20-140.4.	25.50 fine +costs below:
General Court of Justice Fee, G.S. 7A-304(a)(4)	129.50 (Dist.) 154.50 (Sup.)
Phone Systems Fee, G.S. 7A-304(a)(2a)	4.00
LEO Training and Certification Fee, G.S. 7A-304(a)(3b)	2.00
TOTAL	161.00 (Dist.) 186.00 (Sup.)
Seat Belt Violations (adult, rear seat). G.S. 20-135.2A(e).	No Costs 10.00 fine only
Supervision Fee. G.S. 15A-1343, G.S. 15A-1368.4, and G.S. 15A-1374.	40.00 per month
Worthless Check Program Fee. G.S. 7A-308(c). ¹⁴ [§ 31.24.(a)]	60.00

¹³ Note that the bill of costs (AOC-CR-381) does not have a pre-printed entry for the costs applicable to offenses for adult front-seat seat belt violations and motorcycle/moped helmet and occupancy violations. Clerks should assess the three costs identified individually on the bill of costs. These three cost items are the **only** costs to be assessed for these offenses. **Do not** assess any of the other costs under G.S. 7A-304(a). However, pursuant to G.S. 7A-304(b), the three costs are cumulative on appeal. *E.g.*, a defendant found responsible for a motorcycle helmet violation in Superior Court after appeal from the District Court would pay a fine of \$25.50 plus \$296.00 in costs: both General Court of Justice fees, plus two assessments (one for District Court and one for Superior Court) of both the Phone Systems Fee and the LEO Training and Certification Fee.

¹⁴ For districts that still operate a worthless check program, the clerk should continue to receipt the worthless check program fee of G.S. 7A-308(c) and remit it to the State. The amount of the fee remains \$60.00. In addition, G.S. 14-107.2 has been amended, effective July 1, 2011, to allow a community mediation center to assist the NCAOC and district attorneys by establishing a worthless check program in districts where such programs have not been established and to charge for its services as part of such a program. However, the fees for such services are not set by statute, and are **not** to be receipted by the clerk. The center must assess its fees directly for users of its services in these cases. Further, the clerk should not assess the criminal mediation fee of G.S. 7A-38.7 when a community mediation center mediates a worthless check matter in the context of a pre-prosecution worthless check program. The clerk may receipt and disburse only the statutory program fee of G.S. 7A-308(c) and restitution to the check taker for the amount of the check plus any service charges and processing fees incurred or charged by the check taker.



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CIVIL COURT COSTS			AMOUNT
G.S. 7A-305, unless otherwise specified.			
Civil filing fees listed are assessed for all complaints <u>and</u> for any subsequent pleading containing a counterclaim or cross-claim. [§ 31.23.(b), and see memo titled “Legislative Increases in Court Costs and Fees, July 2011.”]			
MAGISTRATES’ COURT. G.S. 7A-305. (except cases under Chapter 50B or 50C ¹⁵)			
• General Court of Justice Fee. [§ 31.23.(b)]	General Fund	77.55	80.00
	State Bar Legal Aid Account (LAA)	2.45 ¹⁶	
• Facilities Fee.			12.00
• Phone Systems Fee.			4.00
• MAGISTRATE TOTAL			96.00
Plus \$15.00 service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1).			+15.00
DISTRICT COURT. G.S. 7A-305. (except cases under Chapter 50B or 50C ¹⁶)			
• General Court of Justice Fee. [§ 31.23.(b)]	General Fund	127.55	130.00
	State Bar Legal Aid Account (LAA)	2.45 ¹⁶	
• Facilities Fee.			16.00
• Phone systems Fee.			4.00
• DISTRICT COURT TOTAL			150.00
Plus \$15.00 service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1).			+15.00
SUPERIOR COURT. G.S. 7A-305.			
• General Court of Justice Fee. [§ 31.23.(b)]	General Fund	177.55	180.00
	State Bar Legal Aid Account (LAA)	2.45 ¹⁶	
• Facilities Fee.			16.00
• Phone systems Fee.			4.00
• SUPERIOR COURT TOTAL			200.00
Plus Business Court Fee, upon assignment.			+1,000.00
Plus \$15.00 service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1).			+15.00

¹⁵ No costs may be assessed for the filing, issuance, registration or service of a protective order or a petition for a protective order or witness subpoena under Chapter 50B (Domestic Violence) or 50C (civil no-contact). However:

- Civil district court costs are assessed for a petition for a workplace civil no-contact order filed under Article 23 of Chapter 95; and
- District court costs must be assessed for amendments and counterclaims to actions filed under Chapter 50B, unless the subsequent claim also arises under that chapter. *E.g.*, if an amended complaint or counterclaim is filed in an existing 50B action, and the new filing makes a claim for divorce, the party filing the amendment or counterclaim is assessed civil filing fees (including the fee for divorce, if applicable).

¹⁶ The portion of the General Court of Justice (GCJF) fee allocated to the State Bar's Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar's Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. The \$0.95 designated for the Bar's Domestic Violence Victim Assistance fund, G.S. 7A-474.19, is unchanged. Therefore the Bar's portion of the civil GCJF is now a total of \$2.45. The remainder of the GCJF is remitted to the General Fund. The NCAOC's Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.



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OTHER CIVIL FEES	AMOUNT
Service fee for each item of civil process served by the sheriff. G.S. 7A-311(a)(1).	15.00
[NEW] Alias & Pluries summons or endorsement on original summons. G.S. 7A-308(a)(21). ¹⁷ [§ 31.23.(e)]	15.00
Filing for absolute divorce. G.S. 7A-305(a2).	75.00 ¹⁸
[NEW] Motion fee. G.S. 7A-305(f). ¹⁹ [§ 31.23.(b).]	20.00
Resumption of former name (within or subsequent to absolute divorce). G.S. 50-12(e).	10.00

MAGISTRATES SPECIAL FEES. G.S. 7A-309.	
Performing marriage ceremony.	20.00
Petition for year's allowance.	8.00
Taking a deposition.	10.00
Proof of execution or acknowledgment of instrument.	2.00
Performing any statutory function, not incident to a civil or criminal action.	2.00

¹⁷ Although codified in G.S. 7A-308 (miscellaneous fees), the fee for alias and pluries summons and endorsements on an original summons is limited to "civil matters" only, and does not apply to summons in special proceedings or estates. In addition, the fee does not apply in child support actions commenced or prosecuted pursuant to G.S. Chapter 110, Article 9. Act § 31.23.(g), as enacted by House Bill 22, § 66.1.

¹⁸ The divorce fee is paid to State Treasurer; \$55 for the Displaced Homemaker Fund, and \$20 for the Domestic Violence Center Fund.

¹⁹ The motion fee does not apply to any motion listed in G.S. 7A-308; for a list, see "Appendix - Motion Fee Exemptions" at the end of this cost chart. The fee also does not apply to any motion "containing as a sole claim for relief the taxing of costs, including attorneys' fees" or to a motion in a child support proceeding under G.S. Chapter 110, Article 9.

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SPECIAL PROCEEDINGS COSTS G.S. 7A-306, unless otherwise specified		AMOUNT
SPECIAL PROCEEDINGS (except foreclosures). G.S. 7A-306.		
• General Court of Justice Fee. [§ 31.23.(c)]	General Fund	104.50
	State Bar Legal Aid Account (LAA)	1.50 ²⁰
• Facilities Fee.		10.00
• Phone Systems Fee.		4.00
• NON-FORECLOSURE TOTAL		120.00 (+% of FMV)
Additional GCJF for proceedings involving land, except boundary disputes. Maximum additional fee is \$200.00		+0.30/100.00 FMV of land involved ²¹
Plus \$15.00 service fee for each item of civil process served by the sheriff.		+15.00
FORECLOSURE UNDER POWER OF SALE.		
• General Court of Justice Fee. G.S. 7A-308(a)(1). ²² [§ 31.23.(e)]		300.00
• Facilities Fee.		None
• Phone Systems Fee.		None
• FORECLOSURE TOTAL		300.00 (+% of sale price)
Plus \$15.00 service fee for each item of civil process served by the sheriff.		+15.00
Additional GCJF assessed from sale. Minimum additional fee: \$10.00. Maximum additional fee: \$500.00.		+0.45/100.00 of final sale price

OTHER SPECIAL PROCEEDING FEES	AMOUNT
[NEW] Motion fee. G.S. 7A-306(g). ²³ [§ 31.23.(c).]	20.00

²⁰ The portion of the General Court of Justice (GCJF) fee allocated to the State Bar's Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar's Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. (Note: The \$0.95 designated in criminal and civil cases for the Bar's Domestic Violence Victim Assistance fund, G.S. 7A-474.19, does not apply to special proceedings or estates cases.) The remainder of the GCJF is remitted to the General Fund. The NCAOC's Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

²¹ Fair market value is determined by: (i) sale price if there is a sale; (ii) appraiser's valuation if there is no sale; or (iii) appraised value from the property tax records, if there is neither a sale nor an appraiser's valuation.

²² Although filed as special proceedings (SP), foreclosure costs are assessed under G.S. 7A-308 (miscellaneous costs), not the special proceeding costs statute, G.S. 7A-306. The facilities fee and phone systems fee are not assessed in G.S. 7A-308, so they are not assessed for foreclosure filings. Nor is any portion of the filing fee diverted to the State Bar's Legal Aid Assistance (LAA) funds.

²³ The motion fee does not apply to any motion listed in G.S. 7A-308; for a list, see "Appendix - Motion Fee Exemptions" at the end of this cost chart. The fee also does not apply to any motion "containing as a sole claim for relief the taxing of costs, including attorneys' fees."

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ESTATES COSTS AND FEES G.S. 7A-307, unless otherwise specified			AMOUNT
ESTATES. G.S. 7A-307(a).²⁴			
• General Court of Justice Fee. [§ 31.23.(d)]	General Fund	104.50	106.00
	State Bar Legal Aid Account (LAA)	1.50 ²⁵	
• Facilities Fee.			10.00
• Phone Systems Fee.			4.00
• ESTATES TOTAL			120.00 (+% of gross estate, below)
• Separate GCJF based on value of the gross estate (at inventory and each accounting). Minimum fee per filing: \$15.00. Maximum cumulative fee: \$6,000.00.			+0.40/100.00 of gross estate ²⁶
TRUST UNDER WILL – ESTABLISHMENT.²⁷			
• General Court of Justice Fee. [§ 31.23.(d)]	General Fund	104.50	106.00
	State Bar Legal Aid Account (LAA)	1.50 ²⁵	
• Facilities Fee.			10.00
• Phone systems Fee.			4.00
• TRUST UNDER WILL – ESTABLISHMENT TOTAL			120.00
TRUST UNDER WILL – ANNUAL ACCOUNTINGS/RECEIPT OF NEW PERSONAL PROPERTY ASSETS. G.S. § 7A-307(a)(2a). Minimum fee: \$20.00. Maximum fee: \$6,000.00.			20.00 per accounting or 0.40/100.00 of gross value of assets (if new personal property) ²⁸

²⁴ The estate fees set forth here apply at the filing of the inventory, if not previously collected. Other fees apply at the filing of accountings. Do not assess estate costs for payments to the clerk of debts owed the decedent pursuant to G.S. 28A-25-6.

²⁵ The portion of the General Court of Justice (GCJF) fee allocated to the State Bar's Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar's Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. (Note: The \$0.95 designated in criminal and civil cases for the Bar's Domestic Violence Victim Assistance fund, G.S. 7A-474.19, does not apply to special proceedings or estates cases.) The remainder of the GCJF is remitted to the General Fund. The NCAOC's Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

²⁶ "Gross estate" is the value of all personal property when received, plus the proceeds of any sale of realty coming into the hands of the fiduciary. Gross estate does not include fair market value of realty not sold. The fee is to be computed from the inventory and paid when the inventory is filed, except for collection of personal property by affidavit, described on the next page. Additional amounts will be due upon filing of an accounting.

²⁷ When a trust is established under a will, the basic estates costs are assessed twice: once for establishment of the decedent's estate file for probate of the will, and once for establishment of the trust file. The initial costs shown are to be assessed only once in the trust file; thereafter, costs for the trust are assessed only at the filing of accountings for new personal property received by the trust.

²⁸ The gross-value percentage "shall be assessed only on newly contributed or acquired assets, all interest or other income that accrues or is earned on or with respect to any existing or newly contributed or acquired assets, and realized gains on the sale of any and all trust assets. Newly contributed or acquired assets do not include assets acquired by the sale, transfer, exchange, or otherwise of the amount of trust property on which fees were previously assessed." G.S. 7A-307(a)(2a). This fee is **not** to be assessed on assets for which the gross-value fee was assessed in administration of the original decedent's estate proceeding. If no new assets were acquired by the trust, the minimum fee of \$20.00 must be assessed for the filing of the accounting.



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ESTATES COSTS AND FEES G.S. 7A-307, unless otherwise specified		AMOUNT
PROBATE OF A WILL WITHOUT QUALIFICATION OF PERSONAL REPRESENTATIVE. G.S. 7A-307(a)(3).		
• General Court of Justice Fee (no State Bar share).		20.00
• Facilities Fee.		10.00
• PROBATE WITHOUT QUALIFICATION TOTAL		30.00
QUALIFICATION OF LIMITED PERSONAL REPRESENTATIVE. G.S. 7A-307(a)(2d) & G.S. 28A-29-1.		
• Petition Fee. ²⁹		20.00
COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT. G.S. 7A-307(b).³⁰		
• General Court of Justice Fee. [§ 31.23.(d)]	General Fund	104.50
	State Bar Legal Aid Account (LAA)	1.50 ³²
		106.00³¹
• Facilities Fee.		10.00
• Phone systems Fee.		4.00
• COLLECTION BY AFFIDAVIT TOTAL		120.00
Separate GCJF based on value of the gross estate. Minimum fee per filing: \$15.00. Maximum fee: \$6,000.00. <u>Note:</u> Assessed on the AOC-E-204, Side One, "TOTAL RECEIPTS"		+0.40/100.00 of gross estate ³³

²⁹ Assess the \$20.00 fee upon filing of the petition to serve as a limited personal representative under Chapter 28A, Article 29. This is the only fee assessed for such petitions; do not assess the GCJF, phone system fee, facilities fee, etc. The fee was effective October 1, 2009, and applies to estates of persons dying on or after that date.

³⁰ Note that S.L. 2009-175 (House Bill 203) increased the threshold amount for small-estate administration under G.S. 28A-25-1 to \$20,000 (from \$10,000), and \$30,000 for a surviving spouse who is the sole heir (from \$20,000). This increased threshold was effective October 1, 2009, and applies to estates of persons dying on or after that date.

³¹ G.S. 7A-307(b) requires that, for collection of personal property by affidavit, "the facilities fee and thirty dollars (\$30.00) of the General Court of Justice fee shall be paid at the time of filing the qualifying affidavit." The phone systems fee, the remainder of the GCJF, and the percentage of the gross estate are assessed at the filing of the final affidavit of collection.

³² The portion of the General Court of Justice (GCJF) fee allocated to the State Bar's Legal Aid Account (LAA) has been reduced. The \$2.05 previously designated for the Bar's Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. (Note: The \$0.95 designated in criminal and civil cases for the Bar's Domestic Violence Victim Assistance fund, G.S. 7A-474.19, does not apply to special proceedings or estates cases.) The remainder of the GCJF is remitted to the General Fund. The NCAOC's Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

³³ For collection of personal property by affidavit, "Gross Estate" is the value of all personal property received by the affiant. The fee is assessed based on the final affidavit of collection. See AOC-E-204 (Affidavit Of Collection, Disbursement And Distribution), Side One, "TOTAL RECEIPTS."



COURT COSTS AND FEES CHART

The costs listed below are effective **July 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted. Costs in other legislation that take effect after July 1, 2011, will be included in subsequent updates to this chart.

Changes to costs and fees are shaded and in blue. The relevant legislation for each new or amended cost item is cited in brackets. Line items citing only a bill section (e.g., "[§ 31.23.(a)]") refer to sections of S.L. 2011-145 (House Bill 200).

OTHER ESTATE FEES G.S. 7A-307(b1), unless otherwise noted.		AMOUNT
[NEW] Motion fee. G.S. 7A-307(a)(4). ³⁴ [§ 31.23.(d).]		20.00
Service fee for civil process served by the Sheriff. G.S. 7A-307(c) and 7A-311(a)(1).		15.00
Filing and indexing a will without probate.		
	First page	1.00
	Each additional page or fraction thereof	0.25
Additional fiduciary letters (per letter over 5).		1.00
Safe deposit box inventory (per box, per day).		15.00
Taking a deposition.		10.00
Docketing and Indexing a will probated in another county in the State.		
	First page	6.00
	Each additional page or fraction thereof	0.25
Hearing petition for year's allowance.		8.00

³⁴ In estates cases, the motion fee applies only to motions requiring a notice of hearing. However, the motion fee does not apply to any motion listed in G.S. 7A-308; for a list, see "Appendix - Motion Fee Exemptions" at the end of this cost chart. The fee also does not apply to any motion "containing as a sole claim for relief the taxing of costs, including attorneys' fees."



COURT COSTS AND FEES CHART

The costs listed below are effective **July 1, 2011**, and apply to all costs assessed or collected on or after that date, unless otherwise noted. Costs in other legislation that take effect after July 1, 2011, will be included in subsequent updates to this chart.

Changes to costs and fees are shaded and in blue. The relevant legislation for each new or amended cost item is cited in brackets. Line items citing only a bill section (e.g., "[§ 31.23.(a)]") refer to sections of S.L. 2011-145 (House Bill 200).

MISCELLANEOUS FEES AND COMMISSIONS G.S. 7A-308, unless otherwise specified		AMOUNT
Proceeding supplemental to execution.		30.00
Confession of judgment.		25.00
Taking a deposition.		10.00
Execution.		25.00
Notice of resumption of former name.		10.00
Taking acknowledgement or administering oath, or both, with or without seal, each certificate.		2.00
<u>Note:</u> Oaths of office are administered to public officials at no charge.		
Bond, taking justification or approving.		10.00
Certificate, under seal. ³⁵ [S.L. 2011-285, House Bill HB 243]		3.00
Exemplification of records.		10.00
Recording or docketing (including indexing) any document:	First page	6.00
	Each additional page or fraction thereof	0.25
Preparation of copies: ³⁵	First page (of each document)	2.00
	Each additional page or fraction thereof	0.25
Preparation and docketing of transcript of judgment.		10.00
Substitution of trustee in deed of trust.		10.00
Execution of passport application.		Amt. allowed by federal law
Criminal record search (except if search is requested by an agency of the State or any of its political subdivisions or by an agency of the United States or by a petitioner in a proceeding under Article 2 of General Statutes Chapter 20).		25.00
Filing the affirmations, acknowledgments, agreements and resulting orders entered into under the provisions of G.S. 110-132 and 110-133.		6.00
Filing a motion to assert a right of access under G.S. § 1-72.1.		30.00
[NEW] Alias & Pluries summons or endorsement on original summons. G.S. 7A-308(a)(21). ³⁶ [§ 31.23.(e)]		15.00
Motion for out-of-state attorney to appear in NC courts in a civil or criminal matter. G.S. 84-4.1.		225.00 ³⁷
Family Court Supervision fee. G.S. 7A-314.1.		30.00 ³⁸

³⁵ Pursuant to § 7A-308(b1), attorneys representing indigents by court appointment or under contract with Indigent Defense Services are exempt from certification and copying fees if the request for certification or copies is made "in connection with the appointed case or the contract and during the duration of the appointment or the contract."

³⁶ Although codified in G.S. 7A-308 (miscellaneous fees), the fee for alias and pluries issuance or endorsements on an original summons is limited to "civil matters" only, and does not apply to summons in special proceedings or estates.

³⁷ The pro hac vice fee may be paid directly to the clerk in whole or in part. Many out-of-state attorneys pay \$25.00 of the fee directly to the State Bar and \$200.00 to the clerk. If an attorney pays the full \$225.00 to the clerk, \$200.00 is to be remitted to the State Treasurer. Of the remaining \$25.00, remit \$2.50 to the State Treasurer pursuant to G.S. 7A-321(d), and the balance of \$22.50 to the N.C. State Bar.

³⁸ The family court supervision fee is to be assessed per hour "to persons receiving the services of a supervised visitation and exchange center through a family court program."



Appendix - Criminal Costs Summary Effective July 1, 2011

Category ¹	Total Amount	Amounts	Amount Descriptions
District Court Infraction (IFC/IF_)	160.00	129.50 12.00 4.00 7.50 2.00 5.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service
District Court Infraction Chapter 20 Offense (IFTC/IFT_)	170.00	129.50 12.00 4.00 7.50 2.00 5.00 10.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service Chapter 20
District Court Misdemeanor (CRDC/CRD_)	162.00	129.50 12.00 4.00 7.50 2.00 5.00 2.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service DNA
District Court Misdemeanor Chapter 20 Offense (CRTC/CRT_)	172.00	129.50 12.00 4.00 7.50 2.00 5.00 2.00 10.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service DNA Chapter 20
Superior Court <u>without</u> First Appearance in District Court (CRSC/CRS_)	205.00	154.50 30.00 4.00 7.50 2.00 5.00 2.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service DNA
Superior Court <u>without</u> First Appearance in District Court Chapter 20 Offense	215.00	154.50 30.00 4.00 7.50 2.00 5.00 2.00 10.00	General Court of Justice Facilities Telephone LEO Retirement LEO Training Service DNA Chapter 20
Superior Court <u>with</u> First Appearance in District Court (CRDS)	334.50	154.50 129.50 30.00 4.00 7.50 2.00 5.00 2.00	General Court of Justice (Sup) General Court of Justice (Dist) Facilities Telephone LEO Retirement LEO Training Service DNA
Superior Court <u>with</u> First Appearance in District Court Chapter 20 Offense	344.50	154.50 129.50 30.00 4.00 7.50 2.00 5.00 2.00 10.00	General Court of Justice (Sup) General Court of Justice (Dist) Facilities Telephone LEO Retirement LEO Training Service DNA Chapter 20

¹ Note that these totals do not apply to offenses for which specific court costs are assessed, such as adult front seat belt offenses, G.S. 20-135.2A, or offenses that do not bear court costs, such as failure to burn headlights with wipers on, G.S. 20-129(a)(4).



Category	Total Amount	Amounts	Amount Descriptions
Superior Court Infraction Appealed from District Court for Trial De Novo (IFDA)	350.50	129.50 12.00 4.00 7.50 2.00 5.00 154.50 30.00 4.00 2.00	General Court of Justice (Dist) Facilities (Dist) Telephone (Dist) LEO Retirement LEO Training (Dist) Service General Court of Justice (Sup) Facilities (Sup) Telephone (Sup) LEO Training (Sup)
Superior Court Infraction Appealed from District Court for Trial De Novo Chapter 20 Offense (IFTA)	370.50	129.50 12.00 4.00 7.50 2.00 5.00 10.00 154.50 30.00 4.00 2.00 10.00	General Court of Justice (Dist) Facilities (Dist) Telephone (Dist) LEO Retirement LEO Training (Dist) Service Chapter 20 (Dist) General Court of Justice (Sup) Facilities (Sup) Telephone (Sup) LEO Training (Sup) Chapter 20 (Sup)
Superior Court Misdemeanor Appealed from District Court for Trial De Novo (CRDA)	354.50	129.50 12.00 4.00 7.50 2.00 5.00 2.00 154.50 30.00 4.00 2.00 2.00	General Court of Justice (Dist) Facilities (Dist) Telephone (Dist) LEO Retirement LEO Training (Dist) Service DNA (Dist) General Court of Justice (Sup) Facilities (Sup) Telephone (Sup) LEO Training (Sup) DNA (Sup)
Superior Court Misdemeanor Appealed from District Court for Trial De Novo Chapter 20 Offense (CRTA)	374.50	129.50 12.00 4.00 7.50 2.00 5.00 2.00 10.00 154.50 30.00 4.00 2.00 2.00 10.00	General Court of Justice (Dist) Facilities (Dist) Telephone (Dist) LEO Retirement LEO Training (Dist) Service DNA (Dist) Chapter 20 (Dist) General Court of Justice (Sup) Facilities (Sup) Telephone (Sup) LEO Training (Sup) DNA (Sup) Chapter 20 (Sup)



Appendix - Motion Fee Exemptions

▪ **Motions under G.S. 7A-308, Exempt from Motion Fees.**

Currently, there are only three motions for which fees are assessed under G.S. 7A-308, and which therefore are exempt from the motion fee of G.S. 7A-305(f), 7A-306(g), and 7A-307(a)(4). For each of these motions, the clerk should assess the fee specified in G.S. 7A-308.

(a)(2) Proceedings supplemental to execution [initiated by motion in the cause].

(a)(14) Substitution of trustee on a deed of trust [in a judicial foreclosure].

[Note that this exemption does not apply when a substitution of trustee is simply filed in a special proceeding without a motion for the substitution.]

(a)(20) Motion to assert a right of access under G.S. 1-72.1 [to a judicial proceeding or record].

▪ **Additional Fee-Exempt Motions in Civil Actions.** G.S. 7A-305(f).

Child Support Proceedings – G.S. Chapter 110

Pursuant to S.L. 2011-145, § 31.23.(g), as enacted by House Bill 22, § 66.1, the fee for motions in civil actions does **not** apply to child support actions under Article 9 of Chapter 110 of the General Statutes, which governs child support cases not filed under Chapter 50 of the General Statutes.

This means that the motion fee shall not be charged in IV-D and non-IV-D motions that request relief solely under Article 9 of Chapter 110. The exemption for child support actions does not apply to support proceedings under Chapter 50 of the General Statutes, so the fee must be assessed for motions in those cases.

Domestic Violence Proceedings

Because any motion filed in a proceeding under Chapter 50B of the General Statutes (e.g., for contempt for violation of the order) may be necessary to the enforcement of such order, and because court costs may not be assessed for actions associated with a protective order, pursuant to G.S. 50B-2(a), the civil motion fee should **not** be assessed for motions filed for enforcement or modification of orders under Chapter 50B.

▪ **Motion Fees in Estate Proceedings.** G.S. 7A-307(a)(4).

In addition to exemption for motions under G.S. 7A-308, listed above, the motion fee may be assessed in estates proceedings only when the motion requires a notice of hearing. S.L. 2011-145, § 31.23.(d), as amended by House Bill 22, § 62.

Any motion filed in an estate matter for which the relief requested requires a hearing will require a notice of hearing, so the motion fee must be assessed at the time of filing whenever the relief requested would require a hearing. The requirement of a notice of hearing should **not** be interpreted to mean that only motions that result in an actual hearing require the \$20.00 fee. The fee should be assessed whenever the relief requested would require a hearing, even if no hearing is actually held. Only motions that do not require a hearing (e.g., summary revocation of letters of a personal representative under G.S. 28A-9-2(a)) are exempt from the motion fee under the “notice of hearing” requirement.

