

Chancery Court Fee Schedule (I.C.A. § 8-21-401) effective 01/01/2006

(a) These fees may be collected *at the time the services are requested*; nothing herein will limit the ability of a party to initiate a case by pauper's oath. If a party pays fees at the time services are requested, the payment will satisfy the requirement for security pursuant to 20-12-120. In proceedings covered by (b)(1)(A), and in workers compensation complaints, *the attorney filing the action has the option to sign a cost bond in lieu of the party paying the fees at the time services are requested. These fees do not include officer's fees as provided for in § 8-21-901 and elsewhere, or state and local litigation taxes.*

(b)(1)(A) Unless otherwise provided below, at the initiation of an action.....	225.00
Applies to, <i>but not limited to</i> : enforcement of contracts/breach of contract/injunctions/torts/personal injury/property damage/malpractice/wrongful death/employment discrimination/civil rights/tax disputes/special remedies/other property disputes/any other actions not otherwise designated in this statute or elsewhere by law.	
(b)(1)(B) Divorce.....with minor children...200.00.....with no minor children...	125.00
(b)(1)(C)(i) Appeal from juvenile, general sessions, probate, municipal or an administrative hearing; writ of certiorari from lower courts or administrative hearings; (ii) foreign transfers; (iii) writ of mandamus; (iv) worker's compensation; (v) condemnations /inverse condemnations; and (vi) quo warranto.....	150.00
(b)(1)(D) Adoption/legitimation/paternity/citizenship restoration/parental rights termination/other domestic relations matter not otherwise designated/name change/minor settlement/foreign judgment enforcement/civil expungement/protection order....	100.00
(b)(1)(E) child support enforcement/modification, including interstate support case and civil contempt action, and request for modification of a parenting plan.....	75.00
(b)(1)(F) At initiation of delinquent property tax cases.....	<i>per parcel</i> 42.00
For our services related to each parcel the Chancellor issues an order to sell.....	<i>per parcel</i> 100.00
(b)(2)(A) Third-party action.....same fee as was charged at the initiation of the original proceeding.	
(b)(2)(B) Cross-claim or counterclaim.....	<i>each</i> 100.00

(c) Administer estates, guardianships, conservatorships, and other probate matters:

(c)(1) Open/close an estate, (other than a small estate).....	225.00
(c)(1)(A) File/docket claim, give notice and file release, the claimant pays.....	11.00
(c)(1)(B) File exception to claim, mail notices and enter order (release?).....	42.00
(c)(2) File small estate affidavit.....	36.00
(c)(3) File request for letters of guardianship and conservatorship/issue all initial process and cost bond/enter order/issue certificate of guardianship/conservatorship (not including sheriff's fee)/including final accounting/order closing (regardless of court where filed).....	160.00
(c)(4) File new request for removal of minority/incompetence/file affidavit/enter order. File new request to legitimate/change name/correct birth certificate/enter order. File new request for habeas corpus/file cost bond/issue process/enter order (not including sheriff's fee).....	100.00
(c)(5) File Mental Health/issue notices/enter return/enter judgment (not including sheriff's fee).....	50.00
(c)(6) File and docket any request, on an existing case other than a request to close the case, not otherwise provided for.....	18.00
(c)(7) Enter any order, on an existing case, other than closing order, not otherwise provided for.....	12.00
(c)(8) Issue summons/subpoena/citation/writ and notice/including required copies of process, other than initial process.....	6.00
(c)(9) File any document not otherwise provided for in probate court.....	7.00
(c)(10) File, review, record interim or annual settlement or accounting and enter order approving settlement.....	40.00

(h) C&M Commissions

(h)(1) Receive and pay over all taxes, fines, forfeitures, fees and amercements, a commission of.....	5.00%
(h)(3) Receive and pay over all privilege taxes on litigation, a commission of.....	6.75%

(i) **Other Fees** These fees may be charged in addition to the fees for cases listed above.

(i)(1) STANDARD POST JUDGMENT FEE, unless otherwise provided.....	<i>per occurrence</i> 25.00
Charged per occurrence regardless of whether judgment is enforced by garnishment, execution, levy or other process. This fee also applies to post-judgment interrogatories/publications/motions to set installment payments/orders and pleas.	
(i)(2) Issue a subpoena or subpoena <i>duces tecum</i>	6.00
(i)(3) CONTINUANCE REQUEST FEE (includes a COURTROOM SECURITY ENHANCEMENT FEE of 2.00).....	7.00
This fee will be taxed at Court's discretion <i>and collected at the conclusion of the case</i> . If multiple litigants request a continuance, Court may assess this fee to one or more parties.	
(i)(4) Copies as requested other than for an original filing and other than when preparing a record upon appeal.....	<i>per page</i> 0.50
(i)(5) Certification and seal or providing a copy of an abstract.....	5.00
(i)(6) Receive/collect/pay proceeds of funds paid into court by order.....	40.00
<i>Also applies to a pre-judgment judicial attachment or similar process to bring property into court prior to judgment.</i>	
(i)(7) Sell real/personal property under order and receive/collect/pay proceeds, a commission =< 10% on the sale up to 6,000.00, plus an amount to be fixed within such limits, in the Court's discretion. (We must collect the sheriff's fee, plus the sheriff's fee for each additional defendant in proceeding to sell real estate.)	
(i)(8) C&M has authority to invest idle funds, not otherwise invested, and the interest is the fee.	
(i)(10) Earnings from invested funds.....	5.00%
(i)(11) Preparing a record on appeal to an appellate court.....	300.00
(i)(12) When we are required by law or by order to send documents by certified or registered mail.....	actual costs

(k) COSTS IN EXTRAORDINARY CASES (one with 10 or more plaintiffs or 10 or more defendants). In such case, C&M may petition Court to award reasonable costs in excess of amounts provided herein to reimburse C&M for additional services. In such cases, C&M may also petition the Court to require an appropriate cost bond.

(l) CHARGES TO THE STATE UNCHANGED. Fees increased by this section that are assessed against the state or otherwise represent a cost to the state in child support actions/mental healths/actions under the Adult Protective Services Act/actions with regard to child care licensing/collection efforts brought by the Department of Human Services are limited to the amounts chargeable prior to the effective date of these changes.