

**78A-2-301.5 Civil fees for justice courts.**

- (1) The fee for filing a small claims affidavit is:
  - (a) \$60 if the claim for damages or amount in interpleader exclusive of justice court costs, interest, and attorney fees is \$2,000 or less;
  - (b) \$100 if the claim for damages or amount in interpleader exclusive of justice court costs, interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
  - (c) \$185 if the claim for damages or amount in interpleader exclusive of justice court costs, interest, and attorney fees is \$7,500 or more.
- (2) The fee for filing a small claims counter affidavit is:
  - (a) \$50 if the claim for relief exclusive of justice court costs, interest, and attorney fees is \$2,000 or less;
  - (b) \$70 if the claim for relief exclusive of justice court costs, interest, and attorney fees is greater than \$2,000, but less than \$7,500; and
  - (c) \$120 if the claim for relief exclusive of justice court costs, interest, and attorney fees is \$7,500 or more.
- (3) The fee for filing a petition for expungement is \$135.
- (4) The fee for a petition to open a sealed record is \$35.
- (5) The fee for a writ of replevin, attachment, execution, or garnishment is \$50 in addition to any fee for a complaint or petition.
- (6) The fee for filing a notice of appeal to a court of record is \$10. This fee covers all services of the justice court on appeal but does not satisfy the trial de novo filing fee in the court of record.
- (7) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.
- (8) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per page.
- (9) The fee schedule adopted by the Judicial Council for copies of documents and forms and for the search and retrieval of records under Title 63G, Chapter 2, Government Records Access and Management Act, shall apply.
- (10) There is no fee for services or the filing of documents not listed in this section or otherwise provided by law.
- (11) The filing fees under this section may not be charged to the state, its agencies, or political subdivisions filing or defending any action. In judgments awarded in favor of the state, its agencies, or political subdivisions, except the Office of Recovery Services, the court shall order the filing fees and collection costs to be paid by the judgment debtor. The sums collected under this Subsection (11) shall be applied to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.

Amended by Chapter 245, 2013 General Session