

**78B-3-311 Duty of clerk -- Fees and costs -- Effect on jurisdiction.**

- (1) When an order is made transferring an action or proceeding for trial, the court shall transmit all pleadings and papers regarding the transferred action to the court to which it is transferred.
- (2) All costs and fees for the transfer and filing the papers anew shall be paid by the party at whose instance the order was made.
- (3) Notwithstanding Subsection (2), if the order is made because the action was commenced in the wrong county, the costs of transfer and filing the papers anew shall be paid by the plaintiff in the action within 10 days after the issuance of the order, or the action shall be dismissed for lack of jurisdiction.
- (4) The court to which an action or proceeding is transferred shall have and exercise the same jurisdiction as if the action had been originally commenced there.

Renumbered and Amended by Chapter 3, 2008 General Session