

28 **10-3-703.7. Administrative proceedings.**

29 ~~H~~→ (1) ←~~H~~ A municipality may adopt an ordinance establishing an administrative  
29a proceeding to

30 review and decide a violation of a civil municipal ordinance.

30a **→ (2) An ordinance adopted in accordance with Subsection (1) shall provide due process**  
30b **for parties participating in the administrative proceeding.** ←~~H~~

31 Section 2. Section **78A-2-301** is amended to read:

32 **78A-2-301. Civil fees of the courts of record -- Courts complex design.**

33 (1) (a) The fee for filing any civil complaint or petition invoking the jurisdiction of a  
34 court of record not governed by another subsection is \$360.

35 (b) The fee for filing a complaint or petition is:

36 (i) \$75 if the claim for damages or amount in interpleader exclusive of court costs,  
37 interest, and attorney fees is \$2,000 or less;

38 (ii) \$185 if the claim for damages or amount in interpleader exclusive of court costs,  
39 interest, and attorney fees is greater than \$2,000 and less than \$10,000;

40 (iii) \$360 if the claim for damages or amount in interpleader is \$10,000 or more;

41 (iv) \$310 if the petition is filed under Title 30, Chapter 3, Divorce, or Title 30, Chapter  
42 4, Separate Maintenance; and

43 (v) \$35 for a motion for temporary separation order filed under Section 30-3-4.5.

44 (c) The fee for filing a small claims affidavit is:

45 (i) \$60 if the claim for damages or amount in interpleader exclusive of court costs,  
46 interest, and attorney fees is \$2,000 or less;

47 (ii) \$100 if the claim for damages or amount in interpleader exclusive of court costs,  
48 interest, and attorney fees is greater than \$2,000, but less than \$7,500; and

49 (iii) \$185 if the claim for damages or amount in interpleader exclusive of court costs,  
50 interest, and attorney fees is \$7,500 or more.

51 (d) The fee for filing a counter claim, cross claim, complaint in intervention, third party  
52 complaint, or other claim for relief against an existing or joined party other than the original  
53 complaint or petition is:

54 (i) \$55 if the claim for relief exclusive of court costs, interest, and attorney fees is  
55 \$2,000 or less;

56 (ii) \$150 if the claim for relief exclusive of court costs, interest, and attorney fees is  
57 greater than \$2,000 and less than \$10,000;

58 (iii) \$155 if the original petition is filed under Subsection (1)(a), the claim for relief is

59 \$10,000 or more, or the party seeks relief other than monetary damages; and

60 (iv) \$115 if the original petition is filed under Title 30, Chapter 3, Divorce, or Title 30,  
61 Chapter 4, Separate Maintenance.

62 (e) The fee for filing a small claims counter affidavit is:

63 (i) \$50 if the claim for relief exclusive of court costs, interest, and attorney fees is  
64 \$2,000 or less;

65 (ii) \$70 if the claim for relief exclusive of court costs, interest, and attorney fees is  
66 greater than \$2,000, but less than \$7,500; and

67 (iii) \$120 if the claim for relief exclusive of court costs, interest, and attorney fees is  
68 \$7,500 or more.

69 (f) The fee for depositing funds under Section 57-1-29 when not associated with an  
70 action already before the court is determined under Subsection (1)(b) based on the amount  
71 deposited.

72 (g) The fee for filing a petition is:

73 (i) \$225 for trial de novo of an adjudication of the justice court or of the small claims  
74 department; and

75 (ii) \$65 for an appeal of a municipal administrative determination

75a **H→ [f] in accordance with**

76 **Section 10-3-703.7 [f] ←H .**

77 (h) The fee for filing a notice of appeal, petition for appeal of an interlocutory order, or  
78 petition for writ of certiorari is \$225.

79 (i) The fee for filing a petition for expungement is \$135.

80 (j) (i) Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be  
81 allocated to and between the Judges' Contributory Retirement Trust Fund and the Judges'  
82 Noncontributory Retirement Trust Fund, as provided in Title 49, Chapter 17, Judges'  
83 Contributory Retirement Act, and Title 49, Chapter 18, Judges' Noncontributory Retirement  
84 Act.

85 (ii) Four dollars of the fees established by Subsections (1)(a) through (i) shall be  
86 allocated by the state treasurer to be deposited in the restricted account, Children's Legal  
87 Defense Account, as provided in Section 51-9-408.

88 (iii) Three dollars of the fees established under Subsections (1)(a) through (e), (1)(g),  
89 and (1)(s) shall be allocated to and deposited with the Dispute Resolution Account as provided

214 Sections 78A-3-102 and 78A-4-103.

215 (7) The district court has jurisdiction to review:

216 (a) agency adjudicative proceedings as set forth in Title 63G, Chapter 4,  
217 Administrative Procedures Act, and shall comply with the requirements of that chapter, in its  
218 review of agency adjudicative proceedings; and

219 (b) municipal administrative proceedings

219a **Ĥ→ [f] in accordance with Section 10-3-703.7 [j] ←Ĥ .**

220 (8) Notwithstanding Subsection (1), the district court has subject matter jurisdiction in  
221 class B misdemeanors, class C misdemeanors, infractions, and violations of ordinances only if:

222 (a) there is no justice court with territorial jurisdiction;

223 (b) the offense occurred within the boundaries of the municipality in which the district  
224 courthouse is located and that municipality has not formed, or has not formed and then  
225 dissolved, a justice court; or

226 (c) they are included in an indictment or information covering a single criminal episode  
227 alleging the commission of a felony or a class A misdemeanor.

228 (9) If the district court has subject matter jurisdiction pursuant to Subsection (5) or (8),  
229 it also has jurisdiction over offenses listed in Section 78A-7-106 even if those offenses are  
230 committed by a person 16 years of age or older.

231 (10) The district court has jurisdiction of actions under Title 78B, Chapter 7, Part 2,  
232 Child Protective Orders, if the juvenile court transfers the case to the district court.

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**Office of Legislative Research and General Counsel**