

NOTICE TO THE BAR

PROPOSED SCHEDULE OF STATE COURT FEE INCREASES PURSUANT TO L. 2014, c. 31 – COMMENTS REQUESTED

The Supreme Court requests comment on the attached proposed schedule of state court fee increases pursuant to L. 2014, c. 31 (S. 946). That legislation, signed into law on August 11, 2014, authorizes the Court to “adopt Rules of Court to revise or supplement filing fees and other statutory fees payable to the court for the sole purpose of funding: (1) the development, maintenance and administration of a Statewide Pretrial Services Program; (2) the development, maintenance and administration of a Statewide digital e-court information system; and (3) the provision to the poor of legal assistance in civil matters by Legal Services of New Jersey and its affiliate.” L. 2014, c. 31, §12a. That authorization will expire on March 1, 2015. L. 2014, c. 31, §19.

The information in the proposed schedule of state court fee increases is listed by court, with the first section applicable to all state courts and the sections in sequence after that specifically applicable to the Supreme Court, the Appellate Division, the Civil Division, the Special Civil Part, General Equity, the Family, Criminal, and Probation Divisions, the Superior Court Clerk’s Office, and the Tax Court. The information is displayed in columns as follows: “Fee Type” (whether the proposed action is the increase of an existing fee or the adoption of a fee where there is at present no fee); “Fee Subject” (a description of the fee); “Current Fee”; “Proposed Fee”; and “Statute/Court Rule” (setting out the underlying statutory or rule basis for the particular fee).

The comment period will run through Wednesday, October 15, 2014, with the Court thereafter to act on the proposed fee schedule. The projected effective date of the fee increases and new fees that will be adopted through this process is Monday, November 17, 2014. The approved fee schedule will be included in the Rules of Court as an Appendix, consistent with the legislation.

Please send any comments on the proposed fee schedule in writing by **Wednesday, October 15, 2014** to:

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts
Comments on Proposed Fee Schedule
Hughes Justice Complex; P.O. Box 037
Trenton, New Jersey 08625-0037

Comments on the Committee reports and recommendations may also be submitted via Internet e-mail to the following address: Comments.Mailbox@judiciary.state.nj.us.

The Supreme Court will not consider comments submitted anonymously. Thus, comments submitted by mail should include the commenter's name and address and comments submitted by e-mail should include the commenter's name and e-mail address. All comments submitted in response to this notice are subject to public disclosure after the Court has acted on the proposed fee increase schedule.

In addition to written comments, the Court will hold a hearing on the proposed revised fee schedule on Tuesday, October 21, 2014, at 3 p.m. in the Supreme Court courtroom in the Hughes Justice Complex in Trenton. Anyone who wishes to speak at the October 21 hearing must notify the Administrative Director of the Courts in writing prior to that date by regular mail at the address set forth above or by email to the following address: Comments.Mailbox@judiciary.state.nj.us. The request must specify whether the speaker will be representing an organization. Please note that the time limit on each speaker's presentation will be five minutes.

/s/ Glenn A. Grant

Glenn A. Grant, J.A.D.
Acting Administrative Director of the Courts

Dated: September 15, 2014

Proposed State Court Fee Increases

ALL STATE COURTS

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	Affixing Court Seal Supreme Court Superior Court Tax Court	\$5.00 \$5.00 \$5.00	\$10.00 \$10.00 \$10.00	N.J.S.A. 22A:2-20
Increase	Exemplification Supreme Court Superior Court Tax Court	\$5.00 \$5.00 \$5.00	\$50.00 \$50.00 \$50.00	N.J.S.A. 22A:2-20
Increase	Certified copy of any document Supreme Court Superior Court Tax Court	\$5.00 \$5.00 \$5.00	\$15.00 \$15.00 \$15.00	N.J.S.A. 22A:2-20
New/ Increase	Non-Party Notice ("Appearance") Fee Supreme Court Superior Court Tax Court Special Civil	\$0.00 \$0.00 \$0.00 \$15.00	\$50.00 \$50.00 \$50.00 \$30.00	N.J.S.A. 22A:2-37.1
Increase	Recording of Instruments not otherwise provided for Supreme Court Superior Court Tax Court	\$5.00 \$5.00 \$5.00	\$35.00 \$35.00 \$35.00	N.J.S.A. 22A:2-7

SUPREME COURT

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	Notice of Appeal or Cross Appeal; Petition and Cross Petition for Certification or Review	\$200.00	\$250.00	N.J.S.A. 22A:2-1
Increase	First paper filed if not in a pending case or if made after judgment entered	\$30.00	\$50.00	

SUPERIOR COURT, APPELLATE DIVISION

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	Notice of Appeal or Cross Appeal	\$200.00	\$250.00	N.J.S.A. 22A:2-5
Increase	First paper filed if not in a pending case or if made after judgment entered	\$30.00	\$50.00	

SUPERIOR COURT, LAW DIVISION, CIVIL PART

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	Complaint	\$200.00	\$250.00	N.J.S.A. 22A:2-6
Increase	Filing of First Paper by Anyone Other Than the Plaintiff	\$135.00	\$175.00	
Increase	Motion	\$30.00	\$50.00	
Increase	Complaint in Multicounty Litigation	\$200.00	\$250.00	
Increase	Answer in Multicounty Litigation	\$135.00	\$175.00	
Increase	Motion in Multicounty Litigation	\$30.00	\$50.00	
New/ Increase	Civil Law Writs	\$0.00 to \$5.00	\$50.00	
Increase	Order to Show Cause	\$30.00	\$50.00	
Increase	Assignment of Judgment	\$5.00	\$35.00	
Increase	Warrant to Satisfy Judgment	\$35.00	\$50.00	
Increase	Wage Garnishment	\$5.00	\$35.00	
Increase	Warrant for Arrest	\$5.00	\$35.00	

SUPERIOR COURT, LAW DIVISION, SPECIAL CIVIL PART

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
New	Motion Fee (DC docket type only; not small claims, tenancy, wage objections, writ exemptions, indigency requests, or any Rule VI applications.)	\$0.00	\$25.00	N.J.S.A. 22A:2-37.1
Increase	Filing Small Claim	\$15.00	\$35.00	
Increase	Filing Tenancy Complaint	\$25.00	\$50.00	
Increase	Initial Pleading for \$3000+	\$50.00	\$75.00	
Increase	Initial Pleading for -\$3000	\$32.00	\$50.00	
Increase	Writ of execution or replevin	\$5.00	\$35.00	
Increase	Warrant of Removal	\$15.00	\$35.00	
Increase	Wage Garnishment	\$5.00	\$35.00	
Increase	Warrant for Arrest	\$15.00	\$35.00	

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	DC answer to complaint, cross claim, counterclaim, or 3rd party complaint, and DC filing of appearance	\$15.00	\$30.00	
Increase	DC or SC Jury Demand	\$50.00	\$100.00	N.J.S.A. 22A:2-37.1
Increase	Answer w/ crossclaim, counterclaim, 3rd party claim -\$3000	\$32.00	\$50.00	
Increase	Answer w/ crossclaim, counterclaim, 3rd party claim +\$3000	\$50.00	\$75.00	
New	Small Claims Counterclaim (not answers)	\$0.00	\$30.00	
Increase	Filing Complaint in LT, DC, SC, any initial pleading, and service/reservice by mail per each additional defendant	\$2.00	\$5.00	
Increase	Writ of Possession	\$5.00	\$35.00	
New	Assignment of Judgment (not added to judgment)	\$0.00	\$35.00	
New	Warrant to Satisfy with DJ (not added to judgment)	\$0.00	\$35.00	
New	Warrant to Satisfy without DJ (not added to judgment)	\$0.00	\$15.00	
Increase	Advertising Property under execution or any order	\$10.00	\$50.00	
Increase	Selling Property under execution or any order	\$10.00	\$50.00	

SUPERIOR COURT, LAW DIVISION, CHANCERY PART GENERAL EQUITY

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	Filing Complaint	\$200.00	\$250.00	N.J.S.A. 22A:2-12 and -13
Increase	Filing Answer	\$135.00	\$175.00	
Increase	Order to Show Cause (General Equity and Foreclosure)	\$30.00	\$50.00	
Increase	Filing Motion	\$30.00	\$50.00	
Increase	Foreclosure Complaint	\$200.00	\$250.00	
Increase	Foreclosure Answer	\$135.00	\$175.00	
Increase	Foreclosure Motion	\$30.00	\$50.00	
New	Foreclosure Writs	\$0.00	\$50.00	
Increase	Foreclosure Assignments	\$5.00	\$35.00	

SUPERIOR COURT, LAW DIVISION, CHANCERY PART FAMILY

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	Filing Divorce Complaint (all types)	\$250.00 \$225 to court	\$300.00 \$275 to court	N.J.S.A. 22A:2-12 and 52:27D-43.24a
Increase	Filing First Responsive Pleading in Dissolution Matter	\$135.00	\$175.00	N.J.S.A. 22A:2-12, -12.5
Increase	Motions in Dissolution Matters	\$30.00	\$50.00	N.J.S.A. 22A:2-12
New	Post-disposition Application/Motion in Non-dissolution Matters	\$0.00	\$25.00	Court Rule 5:4-4
Increase	Order to Show Cause	\$30.00	\$50.00	N.J.S.A. 22A:2-6

SUPERIOR COURT, LAW DIVISION, CRIMINAL PART

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	Expungement Application	\$52.50	\$100.00	N.J.S.A. 2C:52-29, 2A:2-25
Increase	Permit to Carry Handgun	\$20.00	\$50.00	N.J.S.A. 2C:58-4
Increase	Municipal Court Appeal	\$75.00	\$100.00	N.J.S.A. 22A:2-27
New	Appeal of denial of permit to purchase handgun or firearms purchaser ID card	\$0.00	\$50.00	N.J.S.A. 2C:58-4
Increase	PTI Application	\$75.00	\$100.00	N.J.S.A. 2C:43-13
Increase	Bail Post/Discharge	\$30.00	\$50.00	N.J.S.A. 22A:2-29

SUPERIOR COURT, PROBATION DIVISION

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
New	Probation Out-of-State Travel Permit	\$0.00	\$15.00	No Statute or Court Rule
New	Probation Out-of-State Supervision Fee (probationer transferred to NJ from another state/jurisdiction)	\$0.00	\$25.00 per month	

SUPERIOR COURT CLERK'S OFFICE

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	Docketing or recording judgment in the judgment and order docket	\$15.00	\$35.00	N.J.S.A. 22A:2-7
Increase	Recording assignment, subordination, cancellation, postponement, or release of judgment	\$5.00	\$35.00	
Increase	Issuing or recording executions	\$5.00	\$35.00	
Increase	Issuing or recording any other documents	\$5.00	\$35.00	

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
Increase	Signing and issuing a subpoena	\$5.00	\$50.00	
Increase	Filing all papers related to civil bail	\$5.00	\$30.00	N.J.S.A. 22A:2-7 (\$5) and -29 (\$35)
Increase	Entering judgment by confession	\$35.00	\$50.00	N.J.S.A. 22A:2-7

TAX COURT

<u>Fee Type</u>	<u>Fee Subject</u>	<u>Current Fee</u>	<u>Proposed Fee</u>	<u>Statute/Court Rule</u>
<u>Local Property and State Tax Matters</u>				
New	Filing motion in non-small claim, local, or state (small claims remains \$0)	\$0.00	\$50.00	Court Rule 8:12
<u>Local and State Non-Small Claims Matters</u>				
Increase	Filing fee for non-small claims cases	\$200.00	\$250.00	
Increase	Counterclaim for one parcel (non-taxing district)	\$200.00	\$250.00	
New	Counterclaim by taxing district	\$0.00	\$250.00	
New	Additional contiguous parcel/condo in common ownership for Counterclaim by a taxing district	\$0.00	\$50.00	
<u>Small Claims Matters</u>				
Increase	Filing fee for state and local property small claims cases	\$35.00	\$50.00	
Increase	Counterclaim for one parcel (non-taxing district)	\$35.00	\$50.00	
New	Counterclaim by a taxing district	\$0.00	\$50.00	
New	Additional contiguous parcel/condo in common ownership for Counterclaim by a taxing district	\$0.00	\$10.00	