

## NOTICE TO THE BAR

### FILING FEES -- CLARIFICATION OF CERTAIN RULE 1:43 FEES; PUBLICATION OF JUDICIARY FEE SCHEDULE

Rule 1:43 ("Filing and Other Fees Established Pursuant to N.J.S.A. 2B:1-7"), sets out the schedule of those filing fees and other fees payable to the court that were revised or established as authorized by N.J.S.A. 2B:1-7 (L. 2014, c. 31, § 12), effective November 17, 2014. This notice is intended to clarify the application of certain of those fees as to documents filed with the court and thereby to minimize the number of documents submitted with an incorrect fee requiring return and resubmission under Rule 1:5-6(c).

Additionally, as part of the Judiciary's continuing commitment to customer service, a full schedule of all court fees, including those not revised by Rule 1:43, is published with this notice.

The clarifications are presented in question and answer format, as follows:

**Question 1: Does the \$300 filing fee for a complaint in divorce include the parent education fee?**

Answer: The \$300 filing fee is for the divorce (dissolution) complaint only. In applicable cases, an additional \$25 may be required for the parent education fee pursuant to N.J.S.A. 2A:34-12.1 et seq.

**Question 2: My substitution of attorney has been returned for insufficient filing fee. Is there a fee associated with this document?**

Answer: There is a \$35 fee for substitutions of attorney under the "recording instruments not otherwise provided for" language of Rule 1:43 in Civil, Special Civil, General Equity (including Foreclosure), and Family (for dissolution matters and post-disposition non-dissolution matters only).

Please note that because of necessary programming changes that have not yet been completed, the collection of the substitution of attorney fees in Family and Special Civil will not be effective until January 16, 2015.

**Question 3: Is there a fee for a Notice of Appearance?**

Answer: Where the Notice of Appearance is filed as the first paper pleading in a Civil or Family matter, the filing fee is \$175.

Rule 1:43 provides for a \$50 fee for Civil, General Equity (including Foreclosure), and Family (all dissolution matters and post-disposition non-dissolution matters only) for Notices of Appearances not filed as a first appearance in Civil or for a general appearance in Family.

There is a \$30 fee for a Notice of Appearance in Special Civil for the limited purpose of filing an appearance in lieu of an answer for Special Civil DC dockets.

Please note that because of necessary programming changes that have not yet been completed, the collection of the Notice of Appearance fees in Family will not be effective until January 16, 2015.

**Question 4: What is the appropriate fee for a counterclaim, cross claim or third party complaint?**

Answer: The fee for counterclaims, cross claims or third party complaints is \$250 if submitted as an independent, responsive pleading in Civil or in General Equity (including Foreclosure). Since these actions institute a new claim against one or more parties, for fee purposes they are treated similarly to complaints. Cross claims and counterclaims in Small Claims cases are charged a filing fee of \$30.

When an answer has been filed and the filing party seeks to file a counterclaim, cross claim or third party complaint, the filing fee is an additional \$75, which represents the differential between the initial pleading fee of \$250 and the already-paid answer fee of \$175. The maximum fee charged for an answer or amended answer with a counterclaim, cross claim and/or third party complaint is \$250.

For questions or concerns regarding this notice, please contact Michelle M. Smith, Clerk of the Superior Court, by email at [michelle.smith@judiciary.state.nj.us](mailto:michelle.smith@judiciary.state.nj.us) or by telephone at 609-984-4200.

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

Dated: December 23, 2014

## **New Jersey Court Filing Fees as of December 23, 2014**

### **All Courts**

Affixing the seal of the court to any document (N.J.S.A. 22A:2-20; Rule 1:43)	\$10.00
Certified Copy (N.J.S.A. 22A:2-19; Rule 1:43)	\$15.00
Copies, Letter Size, per page (N.J.S.A. 47:1A-5(b))	\$0.05
Copies, Legal Size, per page (N.J.S.A. 47:1A-5(b))	\$0.07
Exemplification (N.J.S.A. 22A:2-20; Rule 1:43)	\$50.00
Triple Exemplification (N.J.S.A. 22A:2-20; Rule 1:43)	\$60.00
Non-Party Notice of Appearance (N.J.S.A. 22A:2-37.1; Rule 1:43)	
Civil Part and Superior Court Clerk's Office	\$50.00
Special Civil Part	\$30.00
Family- Dissolution and Non-Dissolution (effective 1/16/15)	\$50.00
Notice of Appeal (Trial Court Copy) (N.J.S.A. 22A:2-20; Rule 1:43)	\$10.00
Signing and Issuing Subpoena (Trial Courts) (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Subpoena with Seal of the Court (Trial Courts) (N.J.S.A. 22A:2-7; Rule 1:43)	\$60.00
Recording Instruments not otherwise provided for (N.J.S.A. 22A:2-7; Rule 1:43)	\$35.00
Substitutions of Attorney	
Civil Part and Superior Court Clerk's Office	\$35.00
Special Civil Part (effective 1/16/15)	\$35.00
Family- Dissolution and Non-Dissolution (effective 1/16/15)	\$35.00
Filing by a State of New Jersey Agency (N.J.S.A. 22A:2-22)	No Fee

### **Supreme Court**

Notice of appeal, notice of cross-appeal, notice of petition for certification, notice of cross-petition for certification, notice of petition for review (N.J.S.A. 22A:2-1; Rule 1:43)	\$250.00
First paper in any motion, petition or application (including an order) not in a pending cause or after judgment is entered (N.J.S.A. 22A:2-1; Rule 1:43)	\$50.00
Deposit for costs (Rule 2:12-5; Rule 2:5-2)	\$300.00

### **Superior Court, Appellate Division**

Notice of appeal, notice of cross-appeal, notice of petition for certification, notice of cross-petition for certification, notice of petition for review (N.J.S.A. 22A:2-1; Rule 1:43)	\$250.00
First paper in any motion, petition or application (including an order) not in a pending cause or after judgment is entered (N.J.S.A. 22A:2-1; Rule 1:43)	\$50.00
Deposit for costs (Rule 2:12-5; Rule 2:5-2)	\$300.00

### **Superior Court, Clerk's Office**

Recording Money Judgment as a Lien in the Civil Judgment and Order Docket (N.J.S.A. 22A:2-7; Rule 1:43)	\$35.00
Recording of Foreign Judgment (N.J.S.A. 22A:2-29; Rule 1:43)	\$35.00
Satisfaction of Judgment or other lien (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Recording assignment, subordination, cancellation, postponement, or release of judgment (N.J.S.A. 22A:2-7; Rule 1:43)	\$35.00
Judgment by Confession (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Transcript of Judgment (N.J.S.A. 22A:2-29; Rule 1:43)	\$35.00
Issuing or recording executions (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Issuing or recording any other documents (N.J.S.A. 22A:2-7; Rule 1:43)	\$35.00
Recognizance of civil bail (N.J.S.A. 22A:2-7)	\$5.00
Filing all papers related to civil bail (N.J.S.A. 22A:2-7; Rule 1:43)	\$30.00
Certificate by the Clerk with Seal of Court (N.J.S.A. 22A:2-20; Rule 1:43)	\$10.00
Document with Certification (N.J.S.A. 22A:2-19; Rule 1:43)	\$15.00
Certified Document with Seal of Court (N.J.S.A. 22A:2-19; Rule 1:43)	\$25.00

### **Superior Court, Chancery Division, Family Part**

Complaint (first paper) in divorce actions or actions for dissolution of a civil union or domestic partnership (N.J.S.A. 22A:2-12; Rule 1:43)	\$300.00
Parent Education Registration (N.J.S.A. 2A:34-12.2)	\$25.00
First Responsive Pleading (Dissolution) (N.J.S.A. 22A:2-12; Rule 1:43)	\$175.00
Motion (Dissolution) (N.J.S.A. 22A:2-12; Rule 1:43)	\$50.00
Order to Show Cause (Dissolution) (N.J.S.A. 22A:2-12; Rule 1:43)	\$50.00
Motion or Order to Show Cause (Non-Dissolution)	No Fee
Post-disposition Application (Non-Dissolution) (Rule 1:43)	\$25.00
Writ of Execution (N.J.S.A. 22A:2-7)	\$5.00
Warrant of Satisfaction (N.J.S.A. 22A:2-7)	\$5.00
Application for Child Support Services (45 CFR 303.2 and N.J.A.C. 10:110-7.1)	\$6.00

### **Superior Court, Chancery Division, General Equity**

Complaint (first paper) in all actions and proceedings (N.J.S.A. 22A:2-12 and -13; Rule 1:43)	\$250.00
Receivership and partition (N.J.S.A. 22A:2-12; Rule 1:43)	\$250.00
Answer, Notice of Appearance (first paper) (N.J.S.A. 22A:2-12 and -13; Rule 1:43)	\$175.00
Cross Claim, Counterclaim, or Third Party Complaint (Rule 1:43)	\$75.00
Amended Answer or Amended Complaint Containing New Relief (Rule 1:43)	\$75.00

Motion (N.J.S.A. 22A:2-12 and -13; Rule 1:43)	\$50.00
Order to Show Cause (N.J.S.A. 22A:2-12 and -13; Rule 1:43)	\$50.00
Writ (Rule 1:43)	\$50.00
Assignment (N.J.S.A. 22A:2-12 and -13; Rule 1:43)	\$35.00
Warrant of Satisfaction (N.J.S.A. 22A:2-20; Rule 1:43)	\$50.00
Clerk's Certificate of Master's Appointment (N.J.S.A. 22A:2-20; Rule 1:43)	\$5.00
All other papers and services (minimum) (N.J.S.A. 22A:2-20; Rule 1:43)	\$35.00

### **Superior Court, Law Division, Criminal Part**

Expungement Application (N.J.S.A. 2C:52-29; 2-25; Rule 1:43)	\$75.00
Permit to Carry Handgun (N.J.S.A. 2C:58-4; Rule 1:43)	\$50.00
Municipal Court Appeal (N.J.S.A. 22A: 2-27; Rule 1:43)	\$100.00
Appeal of denial of permit to purchase handgun or firearms purchaser ID Card (Rule 1:43)	\$50.00
Pretrial Intervention (PTI) Application (N.J.S.A. 2C:43-12g and -13)	\$75.00
Conditional Discharge (CD) Application (Municipal and Criminal) (N.J.S.A. 2C:36A-1d)	\$75.00
Bail, Application to Post or Discharge (N.J.S.A. 22A: 2-29; Rule 1:43)	\$50.00

### **Superior Court, Law Division, Civil Part**

Complaint (first paper by plaintiff), including in Multicounty litigation (N.J.S.A. 22A:2-6; Rule 1:43)	\$250.00
Complaint Contesting Election (N.J.S.A. 19:29-2; Rule 1:43)	\$250.00
Appeal to Law Division (Civil Part) from Inferior Court or Tribunal (N.J.S.A. 22A:2-27; Rule 1:43)	\$250.00
Answer or First paper of any person other than the plaintiff, Motion (first paper), including in Multicounty litigation (N.J.S.A. 22A:2-6; Rule 1:43)	\$175.00
Cross Claim, Counterclaim or Third Party Complaint (N.J.S.A. 22A:2-6; Rule 1:43)	\$75.00
Amended Answer or Amended Complaint Containing New Relief (Rule 1:43)	\$75.00
Transfer Case from Superior Court (Civil Part only) to Special Civil Part (Rule 6:4-1(f))	\$15.00
Motion, including in Multicounty litigation (N.J.S.A. 22A:2-6; Rule 1:43)	\$50.00
Petition in a Pending Action (Rule 1:43)	\$50.00
Order to Show Cause (N.J.S.A. 22A:2-6; Rule 1:43)	\$50.00
First paper in any motion, petition or application not in a pending action or proceeding or if made after dismissal or judgment entered (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Petition for Discovery not in a Pending Action (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Withdrawal of money deposited in court (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Security Deposit for Cost (per Defendant or as Order Reads)	\$200.00
Judgment on bond and warrant (in lieu of the fee required by Section 22A:2-6)	\$15.00

Restoration fee for failure to make discovery (Rule 4:23-5)	
Within 30 days of entry of order of dismissal	\$100.00
Beyond 30 days of entry of order of dismissal	\$300.00
Notice of Application for Wage Execution (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Writ of Execution (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Assignment of Judgment (N.J.S.A. 22A:2-7; Rule 1:43)	\$35.00
Warrant to Satisfy Judgment (N.J.S.A. 22A:2-7; Rule 1:43)	\$50.00
Warrant for Arrest (N.J.S.A. 22A:2-7; Rule 1:43)	\$35.00
Trial De Novo (N.J.S.A. 2A:23A-27; Rule 4:21A-6(c))	\$200.00

### **Superior Court, Law Division, Special Civil Part**

Complaint, small claim (N.J.S.A. 22A:2-37.1; Rule 1:43)	
One defendant	\$35.00
Each additional defendant	\$5.00
Counterclaim, small claim (Rule 1:43)	\$30.00
Complaint, tenancy (plus mileage) <sup>1</sup> (N.J.S.A. 22A:2-37.1; Rule 1:43)	
One defendant	\$50.00
Each additional defendant	\$5.00
Complaint/initial pleading containing counterclaim, cross-claim or third-party complaint in DC actions: (N.J.S.A. 22A:2-37.1; Rule 1:43)	
<i>Where the amount exceeds the small claims monetary limit</i>	
One defendant	\$75.00
Each additional defendant	\$5.00
<i>Where the amount does not exceed the small claims monetary limit</i>	
One defendant	\$50.00
Each additional defendant	\$5.00
Appearance or answer to DC complaint or third party complaint (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$30.00
Service of process, summons by mail (N.J.S.A. 22A:2-37.1)	
Each defendant	\$7.00
At place of business or employment with postal instructions to deliver to addressee only, additional fee	\$7.00
Reservice of summons by mail, Each defendant (N.J.S.A. 22A:2-37.1)	\$7.00
Reservice of summons or other original process by court officer (plus mileage), (N.J.S.A. 22A:2-37.1)	
One defendant	\$3.00
Each additional defendant	\$5.00
Substituted service of process on NJ Motor Vehicle Commission (N.J.S.A. 22A:2-37.1)	\$10.00
Plus postage	\$7.00
Warrant of removal (plus mileage) (N.J.S.A. 22A:2-37.1, Rule 1:43)	\$35.00
Warrant for arrest, commitment or writ of capias ad respondendum, each defendant (plus mileage) (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$35.00

<sup>1</sup> Mileage fees of court officer equal the round trip cost by the most direct route to and from the location of the court that issued the document being served or executed, at the same rate as set by the State for other State employees, rounded up to the nearest dollar.

Wage execution (plus mileage) (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$35.00
Writ of execution or an order in the nature of execution (plus mileage) (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$35.00
Wage execution by mail to a federal agency, additional fee (N.J.S.A. 22A:2-37.2)	\$7.00
Writ of replevin or attachment issued subsequent to summons (plus mileage) (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$35.00
Writ of attachment and making inventory (plus mileage) (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$35.00
Writ of possession (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$35.00
Writ and summons in replevin, taking bond and any inventory (plus mileage) (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$35.00
Each additional defendant	\$5.00
Serving order for possession in replevin (N.J.S.A. 22A:2-37.1)	\$4.00
Advertising property under execution or any order (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$50.00
Selling property under execution or any order (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$50.00
On every dollar collected on execution, writ of attachment, or any order (commission to the Court Officer – <u>not</u> paid to the court)	\$0.10
Jury of six persons (DC or Small Claim) (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$100.00
Motion or Order to Show Cause (DC) (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$25.00
Exemplified copy of judgment (N.J.S.A. 22A:2-37.1; Rule 1:43)	\$50.00
Restoration fee for failure to make discovery (Rule 6:4-6)	
Within 30 days of entry of order of dismissal	\$25.00
Beyond 30 days of entry of order of dismissal	\$75.00
Assignment of judgment (not an allowable taxed cost) (Rule 1:43)	\$35.00
Warrant to Satisfy with docketed judgment (not an allowable taxed cost) (Rule 1:43)	\$50.00
Warrant to Satisfy without docketed judgment (not an allowable taxed cost) (Rule 1:43)	\$35.00

### Tax Court

#### Non-Small Claims/Regular Local Property and State Taxes

Complaint (N.J.S.A. 22A:5-1(a); Rule 8:12; Rule 1:43)	\$250.00
Counterclaim for one parcel/condo or one state tax type (Rule 8:12; Rule 1:43)	\$250.00
Each additional parcel/condo or state tax type for complaint (Rule 8:12; Rule 1:43)	\$50.00
Each additional parcel/condo or state tax type for counterclaim (Rule 8:12; Rule 1:43)	\$50.00

#### Small Claims Local Property and State Taxes

Complaint for one parcel/condo or one state tax type (Rule 8:12; Rule 1:43)	\$50.00
Complaint, where the sole issue is eligibility for homestead credit, rebate or refund, or for a senior citizen's or veteran's exemption or deduction (Rule 8:12)	No Fee
Each additional parcel/condo or state tax for complaint (Rule 8:12; Rule 1:43)	\$50.00
Counterclaim for one parcel/condo or one state tax type (Rule 8:12; Rule 1:43)	\$10.00
Each additional parcel/condo or state tax type for counterclaim (Rule 8:12; Rule 1:43)	\$10.00

#### Motion -- Local Property and State Taxes

Motion for non-small claims (Rule 8:12; Rule 1:43)	\$50.00
Motion for small claims	No Fee