



**House
Legislative
Analysis
Section**

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REQUIRE PRISONERS TO PAY CIVIL SUIT FILING FEES, COURT COSTS

House Bills 4989 and 4990

Sponsor: Rep. Beverly Bodem

Committee: Judiciary and Civil Rights

Complete to 11-12-96

A SUMMARY OF HOUSE BILL 4989 AND 4990 AS INTRODUCED 6-16-96

The bills would require prisoners generally to pay for the costs of any civil suits they initiated. House Bill 4989 would amend the Revised Judicature Act (RJA) to add a new section requiring courts to order prisoners under the jurisdiction of the Department of Corrections who initiated civil actions in courts in Michigan to pay, from their institutional accounts, filing fees and court costs regardless of the prisoner's claim of indigency. When a prisoner-initiated civil action was begun, depending on the amount of money the prisoner had in his or her institutional account, he or she would have to pay either the full amount of the filing fee or an amount equal to half of the average monthly deposits made to his or her account for the six months preceding the date on which the civil action was commenced. If the prisoner didn't make the required payments within 21 days after being ordered by the court to do so, his or her civil action would be dismissed by the court. When the civil action was concluded, the prisoner would be required to pay the court costs allowed by law, or the amount in his or her institutional account, whichever was less. If a balance of court costs remained unpaid, the court would order that half of all deposits subsequently made to the prisoner's institutional account be applied toward payment of the remaining court costs until they were paid in full. "Court costs" wouldn't include attorney fees. House Bill 4990 would add a new section to the Department of Corrections act (MCL 791.268) that would require the department to comply with any court orders requiring prisoners to pay court costs at the end of prisoner-initiated civil actions by paying those amounts from the institutional account of the prisoner in question. The bills are tie-barred to each other.

House Bills 4989 and 4990 (11-12-96)

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