

REVISED JUDICATURE ACT OF 1961 (EXCERPT)
Act 236 of 1961

600.8371 Filing fees paid to clerk of district court; disposition; waiver or suspension; exception; filing fee for civil action; fee in trial by jury; motion filing fees.

Sec. 8371.

(1) In the district court, the fees prescribed in this section shall be paid to the clerk of the court.

(2) Before a civil action is commenced in the district court, the party commencing the action shall pay to the clerk the sum of \$150.00 if the amount in controversy exceeds \$10,000.00. For each fee collected under this subsection, the clerk shall transmit \$31.00 to the treasurer of the district funding unit in which the action was commenced, and shall transmit the balance to the state treasurer for deposit in the civil filing fee fund created by section 171.

(3) Before a civil action is commenced in the district court, the party commencing the action shall pay to the clerk the sum of \$65.00 if the amount in controversy exceeds \$1,750.00 but does not exceed \$10,000.00. For each fee collected under this subsection, the clerk shall transmit \$23.00 to the treasurer of the district funding unit in which the action was commenced, of which not less than \$5.00 shall be used by the district funding unit to fund a drug treatment court if one is planned, established, or operated in that judicial district. If the entire amount attributable to the \$5.00 portion is not needed for the operation of a drug treatment court, the balance that is not needed for that purpose shall be used for the operation of the district court. If a drug treatment court is not planned, established, or operated in that judicial district, all \$23.00 shall be used for the operation of the district court. The clerk of the district court shall transmit the balance of the filing fee to the state treasurer for deposit in the civil filing fee fund created by section 171.

(4) Before a civil action is commenced in the district court, the party commencing the action shall pay to the clerk the sum of \$45.00 if the amount in controversy exceeds \$600.00 but does not exceed \$1,750.00. For each fee collected under this subsection, the clerk shall transmit \$17.00 to the treasurer of the district funding unit in which the action was commenced, of which not less than \$5.00 shall be used by the district funding unit to fund a drug treatment court if one is planned, established, or operated in that judicial district. If the entire amount attributable to the \$5.00 portion is not needed for the operation of a drug treatment court, the balance that is not needed for that purpose shall be used for the operation of the district court. If a drug treatment court is not planned, established, or operated in that judicial district, all \$17.00 shall be used for the operation of the district court. The clerk of the district court shall transmit the balance of the filing fee to the state treasurer for deposit in the civil filing fee fund created by section 171.

(5) Before a civil action is commenced in the district court, the party commencing the action shall pay to the clerk the sum of \$25.00 if the amount in controversy does not exceed \$600.00. For each fee collected under this subsection, the clerk shall transmit \$11.00 to the treasurer of the district funding unit in which the action was commenced, of which not less than \$5.00 shall be used by the district funding unit to fund a drug treatment court if one is planned, established, or operated in that judicial district. If the entire amount attributable to the \$5.00 portion is not needed for the operation of a drug treatment court, the balance that is not needed for that purpose shall be used for the operation of the district court. If a drug treatment court is not planned, established, or operated in that judicial district, all \$11.00 shall be used for the operation of the district court. The clerk of the district court shall transmit the balance of the filing fee to the state treasurer for deposit in the civil filing fee fund created by section 171.

(6) The judge shall order payment of any statutory fees waived or suspended if the person subject to the fee is receiving public assistance or is determined by the court to be indigent.

(7) Neither this state nor a political subdivision of this state shall be required to pay a filing fee in a civil infraction action.

(8) Except for civil actions filed for relief under chapter 43, 57, or 84, if a civil action is filed for relief other than money damages, the filing fee shall be equal to the filing fee in actions for money damages in excess of \$1,750.00 but not in excess of \$10,000.00 as provided in subsection (3) and shall be transmitted in the same manner as a fee under subsection (3) is transmitted. If a claim for money damages is joined with a claim for relief other than money damages, the plaintiff shall pay a supplemental filing fee in the same amount as required under subsections (2) to (5).

(9) If a trial by jury is demanded, the party making the demand at the time shall pay the sum of \$50.00. Failure to pay the fee at the time the demand is made constitutes a waiver of the right to a jury trial. The sum shall be taxed in favor of the party paying the fee, in case the party recovers a judgment for costs. For each fee collected under this subsection, the clerk shall transmit \$10.00 to the state treasurer for deposit in the juror compensation reimbursement fund created in section 151d.

(10) A sum of \$20.00 shall be assessed for all motions filed in a civil action. A motion fee shall not be assessed in

a civil infraction action. For each fee collected under this subsection, the clerk shall transmit \$10.00 to the state treasurer for deposit in the state court fund created in section 151a and the balance shall be transmitted to the treasurer of the district funding unit for the district court in the district in which the action was commenced.

History: Add. 1968, Act 154, Imd. Eff. June 17, 1968 ;-- Am. 1970, Act 248, Eff. Jan. 1, 1971 ;-- Am. 1971, Act 202, Eff. Jan. 1, 1972 ;-- Am. 1978, Act 511, Eff. Aug. 1, 1979 ;-- Am. 1982, Act 511, Eff. Jan. 1, 1983 ;-- Am. 1984, Act 278, Eff. Jan. 1, 1985 ;-- Am. 1988, Act 310, Eff. Jan. 1, 1989 ;-- Am. 1992, Act 233, Eff. Mar. 31, 1993 ;-- Am. 1992, Act 292, Imd. Eff. Dec. 18, 1992 ;-- Am. 1993, Act 189, Eff. Oct. 8, 1993 ;-- Am. 1996, Act 388, Eff. Jan. 1, 1998 ;-- Am. 2002, Act 605, Eff. Jan. 1, 2003 ;-- Am. 2003, Act 138, Eff. Oct. 1, 2003 ;-- Am. 2003, Act 178, Eff. Oct. 1, 2003 ;-- Am. 2005, Act 151, Imd. Eff. Sept. 30, 2005