

District Clerk Civil Filing Fees

Prepared by the Office of Court Administration (OCA)

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I. Statewide Required Filing Fees (Set Amounts)

(1) CLERK’S BASIC FILING FEE (NEW CIVIL SUITS)

Source: Government Code § 51.317(b)(1)

Amount: Depends on number of plaintiffs

- (a) 10 or fewer plaintiffs.....\$50.00
- (b) 11 to 25 plaintiffs\$75.00
- (c) 26 to 100 plaintiffs\$100.00
- (d) 101 to 500 plaintiffs\$125.00
- (e) 501 to 1,000 plaintiffs\$150.00
- (f) more than 1,000 plaintiffs\$200.00

Statewide: Yes

Applicability: All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

Local Option: No – Fee is mandatory

Destination: County General Fund

(2) CLERK’S BASIC FILING FEE (ACTIONS WITHIN EXISTING CIVIL SUITS)

Source: Government Code § 51.317(b)(2)

Amount: \$15.00

Statewide: Yes

- Applicability:
- (a) contempt actions (motions for contempt)
 - (b) counterclaims
 - (c) cross-actions (cross-claims)
 - (d) interventions
 - (e) motions for new trial
 - (f) third-party petitions (impleaders)

Local Option: No – Fee is mandatory

Destination: County General Fund

(3) STATE CONSOLIDATED FEE

Source: Local Government Code § 133.151

Amount: (a) Non-Family-Law Civil Cases\$50.00
(b) Family-Law Cases\$45.00

Statewide: Yes

Applicability: All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

Local Option: No – Fee is mandatory

Destination: (a) State Judicial Fund
(b) State Judicial Fund --Basic Civil Legal Services Account
(c) County may retain any interest earned on fee

(4) INDIGENT LEGAL SERVICES FEE

Source: Local Government Code § 133.152 (*see also* Op. Tex. Att’y Gen. No. GA-0491 (2006))

Amount: (a) Non-Family-Law Civil Cases\$10.00
(b) Family-Law Cases\$5.00

Statewide: Yes

Applicability: (a) All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)
(b) Any other civil action requiring a filing fee except the following actions in family-law cases (*see* Family Code § 110.002):

- contempt action (motion for contempt)
- motion for enforcement
- motion for modification (motion to modify)(suit for modification)
- motion to revoke a stay of license suspension
- motion to transfer
- notice of application for judicial writ of withholding
- petition for license suspension

Local Option: No – Fee is mandatory

Destination: (a) 95% to State Judicial Fund – Basic Civil Legal Services Account
(b) 5% to County General Fund as a “service fee” for collecting the fee
(c) County may retain any interest earned on fee

(5) JUDICIAL SUPPORT FEE

Source: Local Government Code § 133.154

Amount: \$42.00

Statewide: Yes

Applicability: All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

Local Option: No – Fee is mandatory

Destination: (a) State Judicial Fund
(b) County may retain any interest earned on fee

(6) RECORDS MANAGEMENT FEE

Source: Government Code § 51.317(b)(4), (c)

Amount: \$10.00

Statewide: Yes

Applicability: (a) All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

(b) All civil actions other than:

(1) the following actions in family-law cases (*see* Family Code § 110.002):

- contempt action (motion for contempt)
- motion for enforcement
- motion for modification (motion to modify)(suit for modification)
- motion to revoke a stay of license suspension
- motion to transfer
- notice of application for judicial writ of withholding
- petition for license suspension

(2) administrative writ of income withholding (*see* Family Code §§ 231.202, 231.204)

Local Option: No – Fee is mandatory

Destination: (a) \$5 to County Records Management and Preservation Fund
(b) \$5 to District Clerk Records Management and Preservation Fund

(7) COURT REPORTER FEE

Source: Government Code § 51.601

Amount: \$15.00

Statewide: Yes (as long as the district court has an official court reporter)

Applicability: All new civil suits except delinquent tax suits, fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

Local Option: No – Fee is mandatory

Destination: County Court Reporter Service Fund

(8) BVS CENTRAL ADOPTION REGISTRY FEE

Source: Family Code § 108.006

Amount: \$15.00

Statewide: Yes

Applicability: All new suits requesting adoption of a child

Local Option: No – Fee is mandatory

Destination: State Bureau of Vital Statistics – special fund to operate central adoption file and central adoption registry

(9) FRAUDULENT LIEN SUIT FILING FEE

Source: Civil Practice & Remedies Code § 12.005

Amount: \$15.00

Statewide: Yes

Applicability: (a) New fraudulent lien suits
(b) This \$15 fee is the *only* fee that may be charged in these suits

Local Option: No – Fee is mandatory

Destination: County General Fund

(10) PETITION FOR NON-DISCLOSURE FEE

Source: Government Code § 411.081(d)-(h)

Amount: \$28.00

Statewide: Yes

Applicability: New petitions for non-disclosure

Local Option: No – Fee is mandatory

Destination: State Comptroller – State General Revenue Fund

(11) TRANSFER FEE

Source: Family Code § 110.005

Amount: \$45.00

Statewide: Yes

Applicability: All SAPCR's transferred from other counties

Local Option: No – Fee is mandatory

Destination: County General Fund

II. Statewide Required Filing Fees (Varying Amounts)

(12) FAMILY PROTECTION FEE

Source: Government Code § 51.961

Amount: \$0.01 to \$15.00

Statewide: Yes

Applicability: (a) All new suits for dissolution of marriage (*i.e.*, divorce suits, annulment suits, suits to declare a marriage void)

- (b) All plaintiffs except those persons protected by an order issued under:
(1) Subtitle B, Title 4, Family Code (protective order)
(2) Article 17.292, Code of Criminal Procedure (magistrate's order for emergency protection)

Local Option: No – Fee is mandatory but Commissioners Court sets fee amount

Destination: County Family Protection Account

(13) LAW LIBRARY FEE

Source: Local Government Code § 323.023

Amount: \$0.01 to \$35.00

Statewide: Yes

Applicability: (a) All new civil suits except delinquent tax suits, fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

- (b) All plaintiffs except clerk's county

Local Option: Fee is mandatory but Commissioners Court sets fee amount

Destination: County Law Library Fund

III. Statewide Optional Filing Fees (Set Amounts)

(14) CLERK’S BASIC FILING FEE (ACTIONS WITHIN SAPCR’S)

Source: Family Code § 110.002

Amount: \$15.00

Statewide: Yes

Applicability: (a) The following actions in SAPCR’s:

- contempt action (motion for contempt)
- motion for enforcement
- motion for modification (motion to modify)(suit for modification)
- motion to revoke a stay of license suspension
- motion to transfer
- notice of application for judicial writ of withholding
- petition for license suspension

(b) This \$15 fee is the *only* filing fee that may be charged in these actions.

Local Option: Yes – Clerk “may” collect this fee

Destination: County General Fund

IV. Statewide Optional Filing Fees (Varying Amounts)

(15) COURTHOUSE SECURITY FEE

Source: Local Government Code § 291.008

Amount: \$0.01 to \$5.00

Statewide: Yes

Applicability: (a) All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

(b) All plaintiffs except clerk’s county

Local Option: (a) Yes – Commissioners Court “may” set fee

(b) Commissioners Court sets fee amount

Destination: County Courthouse Security Fund

(16) ALTERNATIVE DISPUTE RESOLUTION (ADR) FEE

Source: Civil Practice & Remedies Code § 152.004

Amount: \$0.01 to \$15.00

Statewide: Yes

Applicability: New civil suits except:

- (a) delinquent tax suits
- (b) condemnation proceedings
- (c) fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005)
- (d) suits with no filing fees (*see* III)

Local Option: Yes –

- (a) Fee can be collected only if Commissioners Court establishes a County Alternative Dispute Resolution System.
- (b) Commissioners Court “may” set fee.
- (c) Commissioners Court sets fee amount

Destination: County Alternative Dispute Resolution System Fund

(17) DRO INITIAL OPERATIONS FEE

Source: Family Code § 203.005

Amount: \$0.01 to \$15.00

Statewide: No -- Only in counties that have established a Domestic Relations Office

Applicability: All new SAPCR’s

Local Option: Yes –

- (a) Fee can be collected only if Commissioners Court establishes a County Domestic Relations Office.
- (b) “Administering Entity” (either Commissioners Court or Juvenile Board) “may” authorize collection of fee.
- (c) Administering entity sets fee amount.
- (d) Administering entity may provide for certain fee exemptions.

Destination: Either of the following two funds:

- (a) County General Fund
- (b) County Domestic Relations Office Fund

(18) DRO INITIAL CHILD SUPPORT SERVICE FEE

Source: Family Code § 203.005

Amount: \$0.01 to \$36.00

Statewide: Yes

Applicability: All new SAPCR's

Local Option: Yes –

- (a) Fee can be collected only if Commissioners Court establishes a County Domestic Relations Office and the County enters into a “child support cooperative agreement” with the Title IV-D Agency.”
- (b) “Administering Entity” (either Commissioners Court or Juvenile Board) “may” authorize collection of fee.
- (c) Administering Entity sets fee amount.
- (d) Administering Entity may provide for certain fee exemptions

Destination: Either of the following two funds:

- (a) County General Fund
- (b) County Domestic Relations Office Fund

(19) ADMINISTRATIVE WRIT OF INCOME WITHHOLDING FEE

Source: Family Code § 158.503

Amount: \$0.01 to \$15.00

Statewide: Yes

Applicability: Administrative writs of income withholding filed in SAPCR's

Local Option: Yes –

- (a) Clerk “may” charge the fee
- (b) Clerk sets fee amount

Destination: County General Fund

(20) DISTRICT CLERK INSURANCE CONTINGENCY FUND FEE

Source: Government Code § 51.302(e)

Amount: \$0.01 to \$5.00

Statewide: Yes

Applicability: All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

Local Option: Yes –

- (a) Fee can be collected only if Commissioners Court establishes a contingency fund to provide insurance for District Clerk
- (b) Commissioners Court “may” set this fee
- (c) Commissioners Court sets fee amount
- (d) Fee may only be collected until total amount of collected fees equals amount required to be in District Clerk Contingency Fund

Destination: District Clerk Insurance Contingency Fund

V. Required Filing Fees in Certain Counties (Set Amounts)

(21) APPELLATE JUDICIAL SYSTEM FEE

Source: Government Code §§ 22.2041, 22.2101

Amount: \$5.00

Statewide: No – Only in counties in Court of Appeals District 3 (Austin) and District 9 (Beaumont)

Applicability: (a) All new civil suits except delinquent tax suits, fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)
(b) All plaintiff’s except clerk’s county

Local Option: No – Fee is mandatory

Destination: Appellate Judicial System Fund (for use by the relevant court of appeals)

(22) COMAL COUNTY JUVENILE PLACEMENT FEE

Source: Human Resources Code § 152.0522

Amount: \$4.00

Statewide: No – Only in Comal County

Applicability: All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

Local Option: No – Fee is mandatory

Destination: County Juvenile Special Placement Fund

(23) MONTAGUE COUNTY ADOPTION SUIT FEE

Source: Human Resources Code § 152.1752

Amount: \$25.00

Statewide: No – Only in Montague County

Applicability: All new adoption suits

Local Option: No – Fee is mandatory

Destination: County Probation Fund (to be used for adoption investigation service)

(24) WICHITA COUNTY ADOPTION SUIT FEE

Source: Human Resources Code § 152.2496

Amount: \$100.00

Statewide: No – Only in Wichita County

Applicability: All new adoption suits

Local Option: No – Fee is mandatory

Destination: County Family Court Services Department (for placement in Adoption Investigation Fund)

VI. Required Filing Fees in Certain Counties (Varying Amounts)

(25) APPELLATE JUDICIAL SYSTEM FEE

Source: Government Code §§ 22.2021, 22.2051, 22.2061, 22.2141

Amount: \$0.01 to \$5.00

Statewide: No – Only in counties in Court of Appeals Districts 1 (Houston), 4 (San Antonio), 5 (Dallas), 13 (Corpus Christi), and 14 (Houston)

Applicability: (a) All new civil suits except delinquent tax suits, fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)
(b) All plaintiffs except clerk's county

Local Option: Fee is mandatory but Commissioners Court sets fee amount

Destination: Appellate Judicial System Fund (for use by the relevant Court of Appeals)

(26) ORANGE COUNTY ADOPTION SUIT FEE

Source: Human Resources Code § 152.1874

Amount: Not less than \$25.00

Statewide: No – Only in Orange County

Applicability: All new adoption suits

Local Option: Fee is mandatory but Juvenile Board (apparently) sets fee amount

Destination: County Adoption Investigation Fund

(27) ORANGE COUNTY DIVORCE SUIT FEE

Source: Human Resources Code § 152.1873

Amount: Not less than \$5.00

Statewide: No – Only in Orange County

Applicability: All new divorce suits

Local Option: Fee is mandatory but Juvenile Board (apparently) sets fee amount

Destination: County Child Support Fund

VII. Optional Filing Fees in Certain Counties (Set Amounts)

(28) APPELLATE JUDICIAL SYSTEM FEE

Source: Government Code § 22.2121

Amount: \$5.00

Statewide: No – Only in counties in Court of Appeals District 11 (Eastland)

Applicability: (a) All new civil suits except delinquent tax suits, fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fee (*see* III)
(b) All plaintiffs except governmental entities

Local Option: Yes – Fee to be established upon request of the chief justice of the 11th Court of Appeals

Destination: Appellate Judicial System Fund (for use by the Eastland Court of Appeals)

VIII. Optional Filing Fees in Certain Counties (Varying Amounts)

(29) APPELLATE JUDICIAL SYSTEM FEE

Source: Government Code § 22.2031

Amount: \$0.01 to \$5.00

Statewide: No – Only in counties in Court of Appeals District 2 (Fort Worth)

Applicability: (a) All new civil suits except delinquent tax suits, fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)
(b) All plaintiffs except clerk’s county

Local Option: Yes – Commissioners Court “may” set fee
Commissioners Court sets fee amount

Destination: Appellate Judicial System Fund (for use by the Fort Worth Court of Appeals)

(30) DALLAS COUNTY CIVIL COURT FACILITY FEE

Source: Government Code § 51.705

Amount: \$0.01 to \$15.00

Statewide: No – Only in Dallas County

Applicability: All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

Local Option: (a) Yes – Commissioners Court must adopt resolution authorizing this fee
(b) Fee is abolished if Commissioners Court rescinds resolution
(c) Fee is automatically abolished as of July 1, 2016

Destination: Special County fund dedicated to construction, renovation and improvement of Dallas County civil court facilities

(31) WEBB COUNTY SECURITY FEE

Source: Local Government Code § 291.009

Amount: \$0.01 to \$20.00

Statewide: No – Only in Webb County

Applicability: (a) All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)
(b) All plaintiffs except clerk’s county

Local Option: (a) Yes – Commissioners Court “may” set fee
(b) Commissioners Court sets fee amount

Destination: Special County Fund to be used for courthouse security

(32) HARRIS COUNTY CHILD SUPPORT DEPARTMENT FEE

Source: Human Resources Code § 152.1074

Amount: \$0.01 to \$12.00

Statewide: No – Only in Harris County

Applicability: All new suits for dissolution of marriage (*i.e.*, divorce suits, annulment suits, suits to declare a marriage void) in which the parties are parents of a “child” as defined by Family Code § 101.003.

Local Option: Yes –
(a) Commissioners Court “may” create a child support department
(b) If child support department is created then Commissioners Court “may” provide for collection of fee
(c) Commissioners Court sets fee amount

Destination: Special County Fund (to be used for the best interests of the parties in the case as determined by the district court)

(33) HAYS COUNTY CIVIL COURT FACILITY FEE

Source: Government Code § 51.707

Amount: \$0.01 to \$15.00

Statewide: No – Only in Hays County

Applicability: All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* III)

Local Option: (a) Yes – Commissioners Court must adopt resolution authorizing this fee
(b) Fee is abolished if Commissioners Court rescinds resolution
(c) Fee is automatically abolished as of July 1, 2022

Destination: Special County fund dedicated to construction, renovation and improvement of the Hays County civil court facilities