

Supreme Court of Kentucky

ORDER CORRECTING

2008-01

IN RE: Amendments to CR 3.02, CR 3.03 and CR 76.42 of the Civil Rules Procedure

IT IS HEREBY ORDERED that, effective July 1, 2008, CR 3.02, CR 3.03 and CR 76.42 of the Civil Rules Procedure are hereby amended as follows:

A. CR 3.02(1) and (2) Circuit civil fees and costs

Sections (1) and (2) of CR 3.02 shall read:

(1) The filing fees for a civil case in Circuit Court (including original actions of administrative agencies, special districts or boards) shall be paid to the circuit clerk at the time the case is filed and shall be \$115.00, except as provided below:

(a) There shall be no filing fees for proceedings for a writ of habeas corpus, proceedings under RCr 11.42, and mental health proceedings under KRS Chapters 202A, 202B and 387.

(b) Fees required by KRS 453.060 and KRS 27A.630 and any other required fees (e.g., court facility fee, library fee) shall be paid in addition to the fees required by this rule.

(2) Additional costs, payable to the circuit clerk at the time the service is requested, shall be charged in Circuit Court civil cases as follows:

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|-----|--|---------|
| (a) | For a jury of six persons | \$30.00 |
| (b) | For a jury of more than six | \$60.00 |
| (c) | Filing a third party complaint | \$30.00 |
| (d) | Preparing a certification, including Act of Congress | \$ 5.00 |
| (e) | Providing a copy of a document (per page) | \$.25 |
| (f) | Providing a copy of a video recording (per individual tape, disk or other media) | \$20.00 |

(g)	Providing a copy of an audio recording (per individual tape, disk or other media)	\$10.00
(h)	Issuing orders of attachment; executions, writ of possession after judgment	\$20.00
(i)	Issuing garnishments	\$10.00
(j)	Publishing a notice	As set by Newspaper
(k)	Certified mail fees	As set by Postal Service
(l)	Original deposition, including appearance fees and mileage	Assessed as Costs
(m)	Library fees	As set by KRS 172.180 and KRS 453.060

B. CR 3.03(1) and (3) District civil fees and costs

Sections (1) and (3) of CR 3.03 shall read:

(1) The filing fee for a civil case in District Court shall be paid to the clerk at the time the case is filed and shall be \$55.00, except as provided below:

(a) Where the case or controversy does not exceed \$1500.00, exclusive of interests and costs (Small Claims), shall be \$20.00;

(b) Where the amount in controversy is \$500.00 or less and is not filed in small claims court, the fees shall be \$30.00;

(c) Where the case involves the probate of an estate, the fees shall be \$20.00;

(d) Where the case involves the appointment of guardians, conservators, and curators and is not related to a pending probate proceeding, the fees shall be \$20.00 for each application;

(e) Where the matter involves a name change for a natural person, the fees shall be \$20.00;

(f) Where the case involves a paternity determination under KRS Chapter 406, the fees shall be \$20.00;

(g) Where the case involves mental health proceedings under KRS Chapter 202A, 202B or 387, there shall be no fees except as provided in paragraph (d) of this subsection;

(h) Where the case involves a hearing for a student pursuant to KRS 159.051, there shall be no fees;

(i) Where the case involves filing forcible detainer actions, the fees shall be \$20.00; and

(j) Where the case involves filing a petition to marry under KRS 402.020, the fees shall be \$5.00.

(k) Fees required by KRS 453.060 and KRS 27A.630 and any other required fees (e.g., court facility fee, library fee) shall be paid in addition to the fee required by this rule.

(3) Additional costs, payable to the circuit clerk at the time the service is requested, shall be charged in District Court civil cases as follows:

(a) For a jury of six persons including paternity cases	\$30.00
(b) Filing a third party complaint	\$30.00
(c) Preparing a certification, including Act of Congress	\$ 5.00
(d) Providing a copy of a document (per page)	\$.25
(e) Providing a copy of a video recording (per individual tape, disk or other media)	\$20.00
(f) Providing a copy of an audio recording (per individual tape, disk or other media)	\$10.00
(g) Issuing orders of attachment; executions, writ of possession after judgment	\$20.00
(h) Issuing garnishments	\$10.00
(i) Publishing a notice	As set by Newspaper
(j) Certified mail fee	As set by Postal Service
(k) Original deposition, including appearance fees and mileage	Assessed as Costs
(l) Library fees	As set by KRS 172.180 and KRS 453.060

C. CR 76.42(2)(a) Costs

Sub-section (a) of section (2) of CR 76.42 shall read:

(2) Filing fees.

(a) Filing fees for docketing the following in the Court of Appeals or in the Supreme Court shall be:

(i) Appeal, cross appeal or certification of law	\$150.00
(ii) Appeals or cross appeals from Circuit Court, Family Division, to the Court of Appeals, from orders determining:	\$75.00

	(a) Paternity	
	(b) Dependency, neglect or abuse	
	(c) Domestic violence	
	(d) Juvenile status offense	
(iii)	Motion for transfer	\$150.00
(iv)	Motion or cross-motion for discretionary review	\$150.00
(v)	Petition for rehearing, modification or extension of opinion	\$150.00
(vi)	Motion for leave to file amicus curiae brief	\$150.00
(vii)	Motion for extension of time for certification of record, for intermediate relief, or for dismissal of an adversary party's appeal, if the filing fee has not been paid theretofore	\$150.00
(viii)	Motion for relief under Rules 65.07 or 65.09	\$150.00
(ix)	Original proceeding	\$150.00
(x)	Motion for reconsideration of a final order or "Opinion and Order" under Rule 76.38	\$150.00
(xi)	Petition or cross-petition for review of a decision by the Workers' Compensation Board	\$150.00

ENTERED: MAY 22, 2008.


 CHIEF JUSTICE