



REPORT *and* RECOMMENDATIONS *of*
The Joint Committee
to Study Court Costs
and Filing Fees



JULY 2008

Report and Recommendations of

The Joint Committee
to Study Court Costs *and* Filing Fees



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Joint Committee to Study Court Costs and Filing Fees

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Joint Committee Creation and Operation

The Joint Committee to Study Court Costs and Filing Fees was created by the Ohio General Assembly in Substitute House Bill 336 of the 126th General Assembly to do the following:

“[S]tudy the determination, assessment, collection, and allocation of court costs and filing fees in criminal actions and in civil actions and proceedings in this state, including the amount of court costs and filing fees paid by the parties to civil actions and proceedings or by defendants in criminal actions. The Committee also shall review and study where the money collected is deposited. Based on the Committee's findings, the Committee shall prepare recommendations for any changes that the Committee believes need to be made to the current system for court costs and filing fees.”

The Joint Committee was comprised of various interested parties, including members of the General Assembly, judges, clerks of court, court administrators, local legislative authorities and practitioners. The Committee met seven times beginning in October 2007 and invited various individuals and associations to present their views on court costs and filing fees. Appearing before the committee to present testimony were the following individuals:

Cindy Bitter (Clerk, Upper Arlington Mayor's Court)
Mark Owens (Clerk, Dayton Municipal Court)
Lynne Mazeika (Clerk, Lake County Court of Common Pleas)
Bernie Quilter (Clerk, Lucas County Court of Common Pleas)
Connie Smith (Deputy Clerk, Lucas County Court of Common Pleas)
Judge Sheila Farmer (Fifth District Court of Appeals)
Judge James Shriver (Clermont County Municipal Court)
Mark Schweikert (Ohio Judicial Conference)
Susan Cave (Ohio Municipal League)
John Leutz (County Commissioners Association of Ohio)
Judge Kenneth R. Spanagel (Association of Municipal/County Court Judges)
Sarah Morrison (Association of Municipal/County Court Judges)
Judge Lawrence A. Belskis (Ohio Probate Judges Association)
Michael Morrison (Ohio Probate Judges Association)
Mark Miars (Ohio Judicial Conference)
Tim Young (State Public Defender)
John Alge (Office of the State Public Defender)
William Weisenberg (Ohio State Bar Association)
Robert Clyde (Ohio Legal Assistance Foundation)
Tom Weeks (Ohio State Legal Services Association)
Jeffrey Forkamp (Ohio Legal Assistance Foundation)
Nancy Neylon (Ohio Domestic Violence Network)
Carol Mosholder (Ohio Attorney General's Office)
Patrick McLean (Ohio Attorney General's Office)
Ernest Hutchins (Ohio Attorney General's Office)

The committee carefully considered the suggestions of these individuals and discussed and developed its recommendations for changes over three meetings.

Introduction

The General Assembly has enacted a variety of statutory provisions specifying or otherwise controlling the “regular” court costs and fees (e.g., “filing fees”) that the Supreme Court of Ohio, courts of appeals, the Court of Claims, courts of common pleas and related divisions, municipal courts, county courts, and mayor’s courts must or may charge and collect with regard to various civil and criminal actions, proceedings, and appeals. Additionally, the General Assembly has imposed various “additional” court costs and fees to provide funding for either the operation of Ohio courts or specified programs that generally must be collected in certain courts and in connection with certain civil or criminal actions, proceedings, or appeals. A chart (Appendix A) attached to this report shows the various court costs and filing fees that are currently imposed.

The Joint Committee considered these costs and fees, the current structure of the Revised Code and the disbursement of these funds in making their recommendations.

During its deliberations the Joint Committee found the terms “court costs” and “fees” often are used interchangeably, both in the Ohio Revised Code and in everyday practice. With this in mind, the Joint Committee discussed these terms in the following way: “court costs” refers to the amount charged to a litigant after the case is resolved and “filing fees” refers to the amount charged by a court upon the filing of various pleadings, motions, etc. This definitional confusion in the Revised Code, however, is something that the General Assembly should correct with input by the Supreme Court of Ohio.

In all, the Joint Committee makes eleven recommendations to guide the General Assembly and the judicial branch in the imposition, collection and disbursement of court costs and filing fees. Further, because it understands the overall state economy and political environment will change over time, the Joint Committee believes continued monitoring of costs and fees and an in-depth look at fines in Ohio should occur. It is the Joint Committee’s hope for the Supreme Court of Ohio and the General Assembly to carefully consider these specific recommendations and expedite their implementation.

RECOMMENDATIONS

1. **Court costs should be reasonable, nominal and directly related to the operation and maintenance of the court.**

"The real practical blessing of our Bill of Rights is in its provision for fixed procedure securing a fair hearing by independent courts to each individual. ...But if the individual in seeking to protect himself is without money to avail himself of such procedure, the Constitution and the procedure made inviolable by it do not practically work for the equal benefit of all. Something must be devised by which everyone, however lowly and however poor, however unable by his means to employ a lawyer and pay court costs, shall be furnished the opportunity to set fixed machinery of justice going."

William Howard Taft, Chief Justice, U.S. Supreme Court, Preface to Smith and Bradway, LEGAL AID WORK IN THE UNITED STATES (1926)

Courts provide a forum for the fair and just resolution of disputes. Courts not only provide a service for those who file claims, but are the foundation for the peaceful resolution of disputes. For this reason, there should be no cost to accessing justice other than a nominal fee to cover expenses of administering the case.

Court costs and fees cannot and should not be considered "income" to a court. Any requirement for a court to fund itself through the levying of fines, fees or costs to operate can only encourage corruption. If a court is forced to be self-reliant, then either heavier penalties will be imposed or courts will be required to increase costs and fees in order to pay for operations. This would lead to an system inaccessible to all but those who can pay.

Finally, costs and fees should not be used to fund any special interest, but should be used to fund justice system programs leading to an efficient and effective judicial system. The General Assembly has enacted court costs and filing fees to fund programs not directly related to the overall administration of justice. In addition, there has been a trend in recent years to grant county commissioners discretion in imposing a court cost for various programs, including Crime Stoppers and regional justice information systems. Although these programs are all worthwhile, funding them through court costs perpetuates the perception that court costs are, in reality, a tax upon citizens that is not enacted by the General Assembly. Court users should not bear the burden of funding these non-judicial programs. If a program is meritorious and deserves funding by

the General Assembly, such funding should be provided by general revenue funds.

2. Disbursements of costs under the Ohio Revised Code are complex and tax the time and resources of clerks. An increase in court costs results in increased difficulty in collections of those costs.

The law of diminishing returns in economics says that as more and more of a variable input is added, a point will be reached beyond which the resulting increase in output begins to diminish. The same is true in costs and fees: additional court costs will result in fewer collections. In 1990, the Legislative Budget Office did an analysis showing an increase in court costs of 1% for one program decreases the revenue of other programs funded by court costs by 30%.¹

In addition, an increase in court costs results in more time spent by the court or clerk of court collecting, tracking and disbursing the funds, resulting in increased personnel costs. Unintended consequences also result from increased court costs and filing fees, including the lowering of fines so litigants can pay the costs and a “cycle of crime” because, for example, offenders cannot afford to have their driver’s license reinstated after a suspension.

Finally, the General Assembly should revise the Revised Code to make it easier to find the amount of costs imposed, how they are disbursed and how often they are disbursed. A streamlining of the Revised Code would be beneficial in implementing the current court cost and filing fee structure and also would benefit implementation of any future costs and fees.

3. There should be an increase in the court computerization fee to cover the increased costs of technology.

The Revised Code currently allows clerks of court to impose a fee of up to \$10 to fund computerization of the clerk's office.² The Revised Code should be amended to allow the clerks to impose a larger fee due to the increased costs of computerization in clerks’ offices.

In recent years, Ohio’s clerks of court have seen marked increases in the costs of technology for their offices. Upgrades to case management software and its annual support costs are increasing. Clerks are, more than ever before, providing Internet access to case information, imaging documents and converting images to stable media for archival purposes. Finally, clerks also are using tremendous personnel and technology resources to redact personal information

¹ Frank Badillo, “New Court Costs Come with Price Tag” (1990)

² R.C. §§ 1901.261(B)(1), 1907.261(B)(1), 2101.162(B)(1), 2151.541(B)(1), 2153.081(B)(1), 2301.031(B)(1) and 2303.201(B)(1)

from case files. These responsibilities create a need for increased funding for technology services in local courts.

In addition to an increase in the fee, the Revised Code should be amended to lessen the tension between elected clerks of court and judges over control of the clerk of courts' computerization fees. Although the Revised Code requires the fee to be used for computerization of the clerks' offices, the judges control the expenditures. Clerks and judges should work together and coordinate their technology systems; however, clarity should be provided to allow the elected clerks control over those funds.

4. There should be an increase in certain probate fees.

Probate fees are set by statute and in some cases have not increased in the last three decades. These fees no longer are sufficient to meet the needs of Ohio's probate courts. House Bill 564, sponsored by Representative Stebleton, was introduced in the 127th General Assembly to increase probate fees to keep pace with inflation. The Joint Committee recommends the General Assembly act with all due speed in enacting this legislation.

The Joint Committee also considered an alternative proposal to recommend probate courts charge a percentage of certain probate cases and trusts in lieu of increasing probate fees. Although the Joint Committee is not recommending such a plan be implemented, it does recommend that the Ohio Association of Probate Judges, the Ohio Judicial Conference and the Supreme Court of Ohio further research this alternative funding mechanism.

5. The General Assembly should amend current law to give trial courts the statutory authority to suspend the imposition or payment of costs after the court has imposed sentence.

In *State v. Clevenger*, 114 Ohio St.3d 258, (2007), the Supreme Court held that a trial court does not have authority to either suspend the imposition or payment of court costs after the court has imposed sentence, even when the offender is indigent. The Court found trial courts lack this ability because they are not specifically authorized by statute to waive costs after sentencing.

This serves little practical purpose. Although section 2947.23 of the Revised Code allows for community service in lieu of payment of costs, many offenders become debilitated or have a change in circumstances after sentencing and cannot perform community service. This means indigent offenders do not pay their court costs and do not perform the community service. In order to rectify this problem, the General Assembly should amend the statute to allow the court the discretion to suspend costs after sentencing.

6. The discretionary court costs that courts use for a variety of needs should be maintained.

Under current law, courts may determine that additional funds are necessary to acquire and pay for special projects of the court. These projects include, but are not limited to, the acquisition of equipment, the hiring and training of staff, community service programs, mediation or dispute resolution services, the employment of magistrates, the training and education of judges, acting judges, and magistrates, and other related services. Upon a determination that the project is necessary, the court may charge a fee, in addition to all other court costs, on the filing of each criminal cause, civil action or proceeding, or judgment by confession.³

These discretionary funds should be maintained in order for courts to provide services citizens expect in the efficient administration of the judicial system. The Joint Committee, however, does recommend the General Assembly amend the statutes to clarify what these “special project” funds can be used for. In some cases, courts use their funds to aid county commissioners by off-setting the cost of courthouse construction or renovation. It should be made clear that these funds are not intended to completely fund the construction or renovation of court facilities, nor serve as a permanent substitute for general funding.

7. Courts should be given authority to dispose of uncollectible debt.

Currently, many courts and clerks of court who have uncollected court costs on their books keep those unpaid, and often uncollectible, debts on their accounts indefinitely. Anecdotally, some courts have uncollected debt dating back twenty years.

The Joint Committee believes the General Assembly should adopt a statute allowing courts to declare a debt uncollectible after a certain amount of time. In addition to this action by the legislature, collaborative efforts should be made to develop better collection techniques for courts and to assist clerks in determining how best to collect old debt. Clerks should age accounts for a certain time to determine their ability to be collected and then be allowed to utilize independent collectors or agencies to maximize their efforts.

The Joint Committee heard testimony from the Attorney General’s Office regarding a pilot program in Lucas County in which the Attorney General assists the Lucas County Clerk of Courts with collection of unpaid fines and costs. If such a program proves practical and successful, then further thought should be given to expanding it as an option for collecting debt. Finally, the Supreme Court of Ohio has, in the past, investigated the possibility of intercepting state tax

³ R.C. 2303.201(E)(1), R.C. 1901.26(B)(1)

refunds to collect unpaid court costs. Such a program should be further examined for its feasibility and possibility of success.

8. Court costs should be returned to the funding (collecting) source.

In today's system, many courts impose local court costs beyond those established in the Revised Code. Many of the revenues from these funds are placed in the county's or city's general fund. In an optimal situation, the county or city legislative authority appropriates these funds back to the court in the course of the budget process. In a strong economy this process works well. However, when the economy is in a downturn, the legislative authority may believe it is necessary to fund other programs with the court cost revenue.

This same scenario occurs at the state level. Funding for indigent defense is paid for, in part, by a statewide court cost.⁴ The money collected by the state is deposited into the General Revenue Fund. In 1997, the court cost was \$11 and generated \$21.6 million per year. In 2008, the court cost is \$15 and generates approximately \$25.5 million per year. This is an increase of \$3.9 million. General revenue fund appropriations to indigent defense over the same period increased \$3.5 million. This means about \$400,000 generated by the indigent defense court cost is being diverted to other purposes.

The Joint Committee believes that if the cost is assessed for a specific purpose, then the funds generated from the imposition of that cost should be used for that purpose and not diverted for other programs or services.

9. Court costs should be assessed on each case as defined by the Supreme Court of Ohio through the Rules of Superintendence.

There are courts in Ohio assessing court costs on each offense, or count, in an indictment. This results in multiple court costs being assessed on a party. In *Middleburg Hts. v. Quinones*, 2007 WL 2051994 (Ohio App. 8 Dist.), 2007-Ohio 3643, the Eighth District Court of Appeals held that court costs should be assessed for each case and not for each offense. That case currently is pending before the Supreme Court of Ohio.

The Joint Committee believes courts should assess court costs on a case, as defined by the Rules of Superintendence for the Courts of Ohio.⁵ The Supreme Court should consider defining a case so counts are not added simply to generate costs. If multiple counts of an indictment are severed, the defendant

⁴ R.C. §2949.091

⁵ Sup. R. 2(A); Sup. R. 37(A)(4)(c)

then has more than one case and therefore can be assessed multiple court costs. Applying this principle will alleviate defendants from being assessed multiple costs that, in aggregate, total more than the fine. In addition, the General Assembly should consider amending the statutes in question in *Quinones* in order to clarify that costs are assessed on cases and not counts.⁶

10. There should be a study of the collection and disbursement of fine money.

During its deliberations, the Joint Committee often found itself drifting into discussions of the disbursement of fine money. It is nearly impossible to discuss court costs and filing fees in a vacuum and not consider the imposition and disbursement of criminal fines. Even those testifying before the Joint Committee often included some discussion of fines in their testimony.

In 1994, a study of criminal fine distribution was completed. At that time, the task force, chaired by Joint Committee member Michael Close, made several findings and recommendations to simplify the system of distributing fines. Those recommendations were not implemented. The Joint Committee believes another study and further recommendations should be made regarding the assessment, collection and distribution of fine money in Ohio. The 1994 Task Force was created by the General Assembly; however, the Joint Committee did not conclude what entity should conduct the study. The Joint Committee does submit that such a study could become a part of the work of the Criminal Sentencing Commission, in addition to the Joint Committee's recommendation below.

11. There should be an entity charged with an ongoing review of court costs and filing fees.

The Joint Committee foresees the issues addressed in this report will resurface in the future without consistent, periodic review of the assessment, collection and disbursement of court costs and filing fees. Such periodic review would assist both the General Assembly and the Supreme Court of Ohio in keeping court costs and filing fees reasonable, nominal and related to the administration of justice.

Whoever takes on the task of a periodic review also should be a clearinghouse of information on court costs and filing fees. It currently is difficult to determine how much is charged in costs statewide because the local costs vary. The ongoing review entity should compile and keep current a list of costs in each court. This can be done through a periodic survey of the courts.

⁶ R.C. §§ 1901.26, 2743.70, 2949.091, and 2949.093

The three branches of state government should jointly develop specific educational programs to explain to the citizenry the independent operation of each branch, and further, focus on the importance of an independent judiciary. The entity undertaking the long-term monitoring of court costs could serve at least some educational purpose in ensuring Ohio citizens understand how the third branch of government is funded and why they pay court costs. The Joint Committee considered that the Criminal Sentencing Commission might be an appropriate entity to take on this task; however, other organizations, associations or governmental entities may be appropriate managers of these tasks as well.

Conclusion

The goals of the Joint Committee were to examine the relevant issues surrounding the assessment, collection and disbursement of court costs and filing fees on civil and criminal cases and to recommend a course for the future. As stated above, it became apparent that the words "costs" and "fees" were undefined, defined but used inconsistently, or used interchangeably. If only one result comes from the work of this Joint Committee, it is hoped standard definitions will be implemented in order to prevent future confusion.

Finally, during almost every legislative session, court costs are proposed and considered by legislators in order to raise funds for specific projects. Court costs and filing fees should not dissuade citizens from utilizing the court system to resolve disputes. Rather, costs and fees should allow the judicial branch of government to perform its primary function: to adjudicate disputes openly and without regard to any measure of social status.

Supreme Court

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	Production of transcript (R.C. 2303.21)	At cost	The producer of transcript
	Compensation to commissioners, appraisers, arbitrators, and auctioneers (R.C. 2335.02 and 2335.021)	As deemed reasonable and proper by the Court	The commissioner, appraiser, arbitrator, or auctioneer
	Witness fee in a case other than civil or criminal cases, (R.C. 2335.05)	\$1 per day plus mileage. \$0.25 per day if not subpoenaed	The witness
	Witness fee in a civil or criminal case (R.C. 2335.06 and 2335.08)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The witness
	Interpreter fees in any criminal proceeding or prosecution for the violation of an ordinance (R.C. 2335.09)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The interpreter
	Filing fee for each case entered upon the minute book, including original actions, appeals as of right, and cases certified by the courts of appeals for review on the ground of conflict of decisions (R.C. 2503.17(A))	\$40	State Treasury
	Filing fee for each motion to certify the record of a court of appeals or for leave to file a notice of appeal in criminal cases (R.C. 2503.17(A))	\$40	State Treasury
	Service of process by a sheriff or other proper officer (R.C. 2503.41)	Same for like service under R.C. 311.17	General fund of the county

Courts of Appeals

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	Same fees that the clerk otherwise collects as clerk of the court of common pleas (R.C. 2303.03(A))	See " Courts of Common Pleas " below	County treasury
	Production of transcript (R.C. 2303.21)	At cost	The producer of the transcript
	Compensation to commissioners, appraisers, arbitrators, and auctioneers (R.C. 2335.02 and 2335.021)	As deemed reasonable and proper by the court	The commissioner, appraiser, arbitrator, or auctioneer
	Witness fee in a case other than civil or criminal cases, (R.C. 2335.05)	\$1 per day plus mileage. \$0.25 per day if not subpoenaed	The witness

Appendix A: Court Costs

	Witness fee in a civil or criminal case (R.C. 2335.06 and 2335.08)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The witness
	Interpreter fees in any criminal proceeding or prosecution for the violation of an ordinance (R.C. 2335.09)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The interpreter
	Additional fee for shorthand reporters preparation of requested transcripts of evidence (R.C. 2501.17)	Fixed by the judges of the court	The shorthand reporter
	Service of process by a sheriff or other proper officer (R.C. 2501.19)	Same for like service	General fund of the county
	Costs dedicated to a specific purpose		
	Court related		
Special projects	Filing of criminal cause, civil action or proceeding, or judgment by confession (R.C. 2501.16(B))	Set by court	County treasury for deposit into either a general special projects fund or a fund established for a specific special project
Special program or service	Covering costs of a special program or service offered by court in cases of a specified type (R.C. 2501.16(B))	Amount set by court, adjusted periodically so total collected does not exceed actual cost	County treasury for deposit into either a general special projects fund or a fund established for a specific special project

Court of Claims

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	Compensation to commissioners, appraisers, arbitrators, and auctioneers (R.C. 2335.02 and 2335.021)	As deemed reasonable and proper by the court	The commissioner, appraiser, arbitrator, or auctioneer
	Publication of case information in daily law journal (R.C. 2701.09)	Set by court	The publisher of the law journal
	Witness fees and mileage as set forth in R.C. 2335.06 (R.C. 2743.06)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The witness
	Same fees as common pleas court in R.C. 2303.20 (R.C. 2743.09(F))	See " Courts of Common Pleas " below	State Treasury

Appendix A: Court Costs

Courts of Common Pleas

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	Payment of prevailing defendant's traveling expenses incurred in connection with certain vessel-related lawsuits (R.C. 1547.36)	Actual traveling expenses, not to exceed \$100	The prevailing defendant
	A fee for each day of service of a court interpreter in a case (R.C. 2301.14)	\$3	County treasury to the credit of the county fund ¹
	Fee for a requested shorthand reporter (R.C. 2301.21)	\$25 per day	County treasury to the credit of the general fund
	Fee for the compensation of shorthand reporters for making requested transcripts and copies (R.C. 2301.24)	Fixed by the judges of the county	The shorthand reporter
	Filing a cause of action that includes docketing in all dockets (R.C. 2303.20(A)(1))	\$25	County treasury
	Filing a cause of action that includes filing necessary documents, noting the filing of the documents, except subpoena, on the dockets (R.C. 2303.20(A)(2))	\$25	County treasury
	Filing a cause of action that includes issuing certificate of deposit in foreign writs (R.C. 2303.20(A)(3))	\$25	County treasury
	Filing a cause of action that includes indexing pending suits and living judgments (R.C. 2303.20(A)(4))	\$25	County treasury
	Filing a cause of action that includes noting on appearance docket all papers mailed (R.C. 2303.20(A)(5))	\$25	County treasury
	Filing a cause of action that includes a certificate for attorney's fee (R.C. 2303.20(A)(6))	\$25	County treasury
	Filing a cause of action that includes a certificate for stenographer's fee (R.C. 2303.20(A)(7))	\$25	County treasury
	Filing a cause of action that includes preparing a cost bill (R.C. 2303.20(A)(8))	\$25	County treasury
	Filing a cause of action that includes entering on indictment any plea (R.C. 2303.20(A)(9))	\$25	County treasury
	Filing a cause of action that includes entering costs on docket and cash book (R.C. 2303.20(A)(10))	\$25	County treasury
	Taking each undertaking, bond, or recognizance (R.C. 2303.20(B))	\$2	County treasury
	Issuing each writ, order, or notice, except subpoena R.C. 2303.20(C))	\$2	County treasury
	Issuing subpoena, swearing witness, entering attendance, and certifying fees (R.C. 2303.20(D))	\$2 per name	County treasury
	Calling a jury (R.C. 2303.20(E))	\$25 per cause	County treasury
	Entering on journal, indexing, and posting on any docket (R.C. 2303.20(F))	\$2 per page	County treasury
	Each execution or transcript of judgment, including indexing R.C. 2303.20(G))	\$3	County treasury
	Making complete record, including indexing (R.C. 2303.20(H))	\$1 per page	County treasury
	Certifying a plat recorded in the county recorder's office (R.C. 2303.20(I))	\$5	County treasury

¹ Presumably "county fund" means the county's general fund.

Appendix A: Court Costs

	Issuing certificate to receiver or order of reference with oath (R.C. 2303.20(J))	\$5	County treasury
	Entering satisfaction or partial satisfaction of each lien on record in the county recorder's office and the clerk of courts' office (R.C. 2303.20(K))	\$5	County treasury
	Certificate of fact under seal of the court, paid by the party demanding it (R.C. 2303.20(L))	\$1	County treasury
	Taking each affidavit, including certificate and seal (R.C. 2303.20(M))	\$1	County treasury
	Acknowledging an instrument in writing (R.C. 2303.20(N))	\$2	County treasury
	Making certificate of judgment (R.C. 2303.20(O))	\$5	County treasury
	Filing, docketing, and endorsing a certificate of judgment, including the indexing and noting the return of the certificate (R.C. 2303.20(P))	\$10	County treasury
	Each judgment by confession, including all docketing, indexing, and entries on the journal (R.C. 2303.20(Q))	\$25 per cause of action	County treasury
	Recording commission of mayor or notary public (R.C. 2303.20(R))	\$5	County treasury
	Issuing licenses other than hunting and fishing licenses (R.C. 2303.20(S))	\$1	County treasury
	Docketing and indexing each aid in execution or petition to vacate, revive, or modify judgment, including the filing and noting of all necessary documents (R.C. 2303.20(T))	\$15	County treasury
	Docketing and indexing each appeal, including the filing and noting of all necessary documents (R.C. 2303.20(U))	\$25	County treasury
	Receiving and disbursing money, other than costs and fees, paid to or deposited with the clerk of courts in pursuance of an order of court or on judgments, including money invested by order of the court and interest earned on them (R.C. 2303.20(V))	2% on the first \$10,000 and 1% on all exceeding \$10,000	County treasury
	Numbering, docketing, indexing, and filing each authenticated or certified copy of the record, or any portion of an authenticated or certified copy of the record, of an extra county action or proceeding (R.C. 2303.20(W))	\$5	County treasury
	Each certificate of divorce, annulment, or dissolution of marriage to the Bureau of Vital Statistics (R.C. 2303.20(X))	\$2	County treasury
	Each electronic transmission of a document (paid by the party requesting the electronic transmission) (R.C. 2303.20(Y))	\$2 plus \$1 per page	County treasury
	Copies of pleadings, process, record, or files, including certificate and seal (R.C. 2303.20(Z))	\$1 per page	County treasury
	Fee for an interpreter in any legal proceeding for a party or witness with a hearing, speech, or other impairment (R.C. 2311.14(C))	Reasonable fee as determined by the court	The interpreter
	Testimony of an imprisoned person (R.C. 2317.06(B)(1) and (D))	Actual cost	The person or persons who incurred the expense
	Filing of a foreign judgment (R.C. 2329.025)	\$15	County treasury

Appendix A: Court Costs

	Compensation to commissioner in partition of land actions (R.C. 2335.01)	Up to \$10 per parcel of land	The commissioner
	Compensation to commissioners, appraisers, arbitrators, and auctioneers (R.C. 2335.02 and 2335.021)	As deemed reasonable and proper by the court	The commissioner, appraiser, arbitrator, or auctioneer
	Witness fee in a case other than civil or criminal cases (R.C. 2335.05)	\$1 per day plus mileage. \$0.25 per day if not subpoenaed	The witness
	Witness fee in a civil or criminal case (R.C. 2335.06 and 2335.08)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The witness
	Interpreter fees in any criminal proceeding or prosecution for the violation of an ordinance (R.C. 2335.09)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The interpreter
	Fees of magistrates and their officers in felony cases (R.C. 2335.11)	At cost	The persons entitled to the fees
	Publication of cases information in daily law journal (R.C. 2701.09)	Set by court	The publisher of the law journal
	Fee for the attendance of an arbitrator in the same amount as fees of witnesses (R.C. 2711.06)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The arbitrator
	For an individual guilty of endangering a child, a reasonable fee to cover the cost for the offender's performance of supervised community service work as part of the offender's community control sanction or sentenced (R.C. 2919.22(F)(1)(a))	As determined by the court	The person or persons who incurred the cost
	Examination and mental evaluation of person charged with violating a protection order (R.C. 2919.271(E))	At cost	The person or persons who incurred the cost
	Any or all costs of criminal sanctions incurred by the government (R.C. 2929.18(A)(4))	At cost	The state
	Taking deposition of person who is a prisoner R.C. 2945.47(E))	Usually paid by the person requesting the deposition, but may be taxed as court costs in appropriate cases	The person or persons who incurred the cost
	A fee for each psychologist or psychiatrist appointed by the court during a hearing on mitigation of a sentence (R.C. 2947.06(B))	As fixed by the court	The psychologist or psychiatrist

Appendix A: Court Costs

	Court reporter's transcript in a petition for postconviction relief, if ordered (R.C. 2953.21(C))	At cost	The court reporter
	Filing fee for an application to seal a record of conviction or bail forfeiture (R.C. 2953.32(C)(3))	\$15	\$30 to the State Treasury and \$20 into the county general revenue fund, if the conviction or forfeiture was pursuant to a state statute, or into the general revenue fund of the municipal corporation, if it was pursuant to a municipal ordinance
Costs dedicated to a specific purpose			
Court related			
Computerization (court)	Filing of civil or criminal actions, civil actions for a judgment by confession, and appeals (R.C. 2303.201(A)(1))	Set by court, not to exceed \$3	County treasury for deposit into a separate fund
Computerization (clerk of court)	Filing of civil or criminal actions, civil action for a judgment by confession, and appeals, the filing, docketing, and endorsing of each certificate of judgment, and the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment (R.C. 2303.201(B)(1))	Set by court, not to exceed \$10	County treasury for deposit into a separate fund
Special projects	Filing of a criminal cause, each civil action or proceeding, or judgment by confession (R.C. 2303.201(E)(1))	Set by court	County treasury for deposit into either a general special projects fund or a fund established for a specific special project
Special program or service in cases of a specific type	Additional charge in a case of a specified type for covering costs of a special program or service offered by court (R.C. 2303.201(E)(1))	Fee periodically adjusted so total fees do not exceed actual cost	County treasury for deposit into either a general special projects fund or a fund established for a specific special project

Appendix A: Court Costs

Other			
Legal aid societies and the State Public Defender	Filing fee on certain civil actions or proceedings (R.C. 2303.201(C))	\$26	Treasury of State with 4% deposited to the credit of the Civil Case Filing Fee Fund and 96% to the credit of the Legal Aid Fund
Victims of domestic violence shelters	Filing fee in annulment, dissolution of marriage, or divorce action (R.C. 2303.201(D))	\$32	County treasury for deposit into a special fund
Crime Victims Reparations Fund	For conviction of a felony (other than a nonmoving traffic offense) (R.C. 2743.70(A)(1) and (2))	\$30	Treasury of State for deposit into the Reparations Fund
Crime Victims Reparations Fund	For conviction of a misdemeanor (other than a nonmoving traffic offense) (R.C. 2743.70(A)(1) and (2))	\$9	Treasury of State for deposit into the Reparations Fund
Crime Victims Reparations Fund	For conviction of any offense (other than a nonmoving traffic offense) and posts bail (R.C. 2743.70(B))	\$30 or \$9 to the amount of the bail, as applicable	Treasury of State for deposit into the Reparations Fund
Public defender offices	For conviction or plea of guilty to any offense (other than a nonmoving traffic offense (R.C. 2949.091(A)(1))	\$15	Treasury of State for deposit into the General Revenue Fund
Public defender offices	For conviction of any offense (other than a nonmoving traffic offense) and posts bail (R.C. 2949.091(B))	\$15 to the amount of the bail	Treasury of State for deposit into the General Revenue Fund
Criminal Justice Regional Information System	An additional court cost imposed for moving violations that occur in that county (R.C. 2949.093(C))	To be set by the board of county commissioners, not to exceed \$5	County treasury for deposit into the Criminal Justice Regional Information Fund
Child abuse and child neglect programs	Additional court costs in divorce and dissolution of marriage actions (R.C. 3109.14(B)(2))	\$11	The clerk may retain an amount from the fee not to exceed 3% to be used for costs. The remaining amount to the State Treasury for credit of the Children's Trust Fund

Appendix A: Court Costs

Juvenile Division

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	Same costs and fees as are allowed the clerk of the court of common pleas for similar services (R.C. 2151.54)	See " <i>Courts of Common Pleas</i> " above	County treasury
	In an adjudicatory hearing against a juvenile, the same witness fees as are allowed in the court of common pleas (R.C. 2151.28(J))	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The witness
	Fee for the cost of a juvenile's house arrest with electronic monitoring (R.C. 2152.19(A)(4))	Actual cost	The person or persons who incurred the cost
	Compensation to commissioners, appraisers, arbitrators, and auctioneers (R.C. 2335.02 and 2335.021)	As deemed reasonable and proper by the court	The commissioner, appraiser, arbitrator, or auctioneer
	Interpreter fees in any criminal proceeding or prosecution for the violation of an ordinance (R.C. 2335.09)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The interpreter
	Publication of cases information in daily law journal (R.C. 2701.09)	Set by court	The publisher of the law journal
	Court reporter's transcript in a petition for postconviction relief, if ordered (R.C. 2953.21(C))	At cost	The court reporter
	Filing fee for an application to seal a record of conviction or bail forfeiture (R.C. 2953.32(C)(3))	\$15	\$30 to the State Treasury and \$20 into the county general revenue fund, if the conviction or forfeiture was pursuant to a state statute, or into the general revenue fund of the municipal corporation, if it was pursuant to a municipal ordinance
Costs dedicated to a specific purpose			
Court related			
Computerization (court)	Filing of civil or criminal actions, civil actions for a judgment by confession, and appeals (R.C. 2151.541(A)(1) and 2153.081(A)(1))	Set by court, not to exceed \$3	County treasury for deposit into a separate fund

Appendix A: Court Costs

Computerization (clerk of juvenile division)	Filing of civil or criminal actions, civil actions for a judgment by confession, and appeals, the filing, docketing, and endorsing of each certificate of judgment, and docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment (R.C. 2151.541(B)(1), 2153.081(B)(1), 2301.031(B)(1))	Set by court, not to exceed \$10	County treasury for deposit into a separate fund
Other			
Crime Victims Reparations Fund	For adjudication as a delinquent child for committing an act, that if committed by an adult, would be a felony (R.C. 2743.70(A)(2))	\$30	Treasury of State for deposit into the Reparations Fund
Crime Victims Reparations Fund	For adjudication as a delinquent child for committing an act, that if committed by an adult, would be a misdemeanor (R.C. 2743.70(A)(2))	\$9	Treasury of State for deposit into the Reparations Fund
Public defender offices	For adjudication of a child as a delinquent child or a juvenile traffic offender for committing an act, that if committed by an adult, would be an offense (other than a nonmoving traffic offense) (R.C. 2949.091(A)(2))	\$15	Treasury of State for deposit into the General Revenue Fund
Criminal Justice Regional Information System	An additional court cost imposed for moving violations that occur in that county (R.C. 2949.093(C))	To be set by the board of county commissioners, not to exceed \$5	County treasury for deposit into the Criminal Justice Regional Information Fund

Domestic Relations Division

Cost type	Specific cost	Amount of cost	Recipient of money
Costs dedicated to a specific purpose			
Court related			
Computerization (court)	Filing of civil or criminal actions, civil actions for a judgment by confession, and appeals. (R.C. 2301.031(A)(1)).	Set by court, not to exceed \$3	County treasury for deposit into a separate fund
Computerization (clerk of the domestic relations division)	Filing of civil or criminal actions, civil actions for a judgment by confession, and appeals, the filing, docketing, and endorsing of each certificate or judgment, and the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment (R.C. 2301.031(B)(1))	Set by court, not to exceed \$10	County treasury for deposit into a separate fund

Probate Courts

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	Hearing and deciding each application under the Voluntary Assignments Law (R.C. 1313.52(A))	\$2	County treasury

Appendix A: Court Costs

	Appointing or removing an assignee or trustee under the Voluntary Assignments Law (R.C. 1313.52(B))	\$1	County treasury
	Filing assignment, inventory, and schedule under the Voluntary Assignments Law (R.C. 1313.52(C))	\$0.10 each	County treasury
	Filing other papers under the Voluntary Assignments Law (R.C. 1313.52(D))	\$0.05 each	County treasury
	Performance of other services under the Voluntary Assignments Law (R.C. 1313.52(E))	Same compensation as for like services in the settlement of the estate of deceased persons	County treasury
	If the court utilizes a special master commissioner, the fees for the services of the commissioner (R.C. 2101.07)	Same amount as allowed to other officers for similar services of the court	The master commissioner
	The compensation of a stenographic reporter appointed by a probate judge (R.C. 2101.08)	As fixed by the court in the manner provided for a shorthand reporter for the court of common pleas	The stenographic reporter
	Waivers and proof of notice of hearing on account (R.C. 2101.16(A)(1))	\$1 per page, minimum fee \$1	County treasury
	Account of distribution, in addition to advertising charges (R.C. 2101.16(A)(2))	\$7	County treasury
	Petition for adoption of a child (R.C. 2101.16(A)(3))	\$50	County treasury
	Petition to alter or cancel contract for sale or purchase of real estate (R.C. 2101.16(A)(4))	\$20	County treasury
	Application and order not otherwise provided for in R.C. 2101.16 or by rule adopted pursuant to R.C. 2101.16(E) (R.C. 2101.16(A)(5))	\$5	County treasury
	Hearing in appropriation suit (R.C. 2101.16(A)(6))	\$20 per day	County treasury
	Application for registration of birth (R.C. 2101.16(A)(7))	\$7	County treasury
	Application to correct birth record (R.C. 2101.16(A)(8))	\$5	County treasury
	Application for new or additional bond (R.C. 2101.16(A)(9))	\$5	County treasury
	Application for release of surety or reduction of bond (R.C. 2101.16(A)(10))	\$5	County treasury
	Receipt for securities deposited in lieu of bond (R.C. 2101.16(A)(11))	\$5	County treasury
	Certified copy of journal entry, record, or proceeding (R.C. 2101.16(A)(12))	\$1 per page, minimum fee \$1	County treasury
	Application for citation and issuing citation (R.C. 2101.16(A)(13))	\$5	County treasury
	Petition for change of name (R.C. 2101.16(A)(14))	\$20	County treasury
	Application of administrator or executor for allowance of administrator's or executor's own claim (R.C. 2101.16(A)(15))	\$10	County treasury
	Application to compromise or settle claim (R.C. 2101.16(A)(16))	\$10	County treasury
	Authority to present claim (R.C. 2101.16(A)(17))	\$10	County treasury
	Appointment of commissioner (R.C. 2101.16(A)(18))	\$5	County treasury

Appendix A: Court Costs

	Application for compensation for extraordinary services and attorney's fees for fiduciary (R.C. 2101.16(A)(19))	\$5	County treasury
	Application to procure adjudication of competency (R.C. 2101.16(20))	\$20	County treasury
	Application to complete contract (R.C. 2101.16(A)(21))	\$10	County treasury
	Citation for concealment of assets (R.C. 2101.16(A)(22))	\$10	County treasury
	Petition for construction of will (R.C. 2101.16(A)(23))	\$20	County treasury
	Application to continue decedent's business (R.C. 2101.16(A)(24))	\$10	County treasury
	Monthly reports of operation (R.C. 2101.16(A)(24))	\$5	
	Petition for declaratory judgment (R.C. 2101.16(A)(25))	\$20	County treasury
	Deposit of will (R.C. 2101.16(A)(26))	\$5	County treasury
	Designation of heir (R.C. 2101.16(A)(27))	\$20	County treasury
	Application, assent, and order for distribution in kind (R.C. 2101.16(A)(28))	\$5	County treasury
	Application for an order of distribution under R.C. 2109.36 (R.C. 2101.16(A)(29))	\$7	County treasury
	Docketing and indexing proceedings, including the filing and noting of all necessary documents (R.C. 2101.16(A)(30))	Not to exceed \$15	County treasury
	Exceptions to any proceeding named in R.C. 2101.16(A)(31))	\$10	County treasury
	Proceedings relating to election of surviving partner to purchase assets of partnership (R.C. 2101.16(A)(32))	\$10	County treasury
	Election of surviving spouse under will (R.C. 2101.16(A)(33))	\$5	County treasury
	Appointment of fiduciary, including an assignee or trustee of an insolvent debtor or any guardian or conservator accountable to the probate court (R.C. 2101.16(A)(34))	\$35	County treasury
	Record of such will (R.C. 2101.16(A)(35))	\$1 per additional page	County treasury
	Forms when supplied by the probate court (R.C. 2101.16(A)(36))	Not to exceed \$10	County treasury
	Petition to determine heirship (R.C. 2101.16(A)(37))	\$20	County treasury
	Injunction proceedings (R.C. 2101.16(A)(38))	\$20	County treasury
	Petition to improve real estate (R.C. 2101.16(A)(39))	\$20	County treasury
	Inventory with appraisement (R.C. 2101.16(A)(40))	\$10	County treasury
	Inventory without appraisement (R.C. 2101.16(A)(41))	\$7	County treasury
	Application for investment or expenditure of funds (R.C. 2101.16(A)(42))	\$10	County treasury
	Application to invest in real estate (R.C. 2101.16(A)(43))	\$10	County treasury
	Petition to lease for oil, gas, coal, or other mineral (R.C. 2101.16(A)(44))	\$20	County treasury
	Petition to lease or lease and improve real estate (R.C. 2101.16(A)(45))	\$20	County treasury
	Marriage license (R.C. 2101.16(A)(46))	\$10	County treasury
	Certified abstract of each marriage (R.C. 2101.16(A)(46))	\$2	County treasury
	Disposal of estate under \$10,000 of minor or mentally ill person, etc. (R.C. 2101.16(A)(47))	\$10	County treasury
	Petition to mortgage or mortgage and repair or improve real estate (R.C. 2101.16(A)(48))	\$20	County treasury
	Report of newly discovered assets (R.C. 2101.16(A)(49))	\$7	County treasury
	Proceedings by nonresident executor or administrator to bar creditors' claims (R.C. 2101.16(A)(50))	\$20	County treasury
	Bonding company power of attorney or revocation of power (R.C. 2101.16(A)(51))	\$10	County treasury
	Petition to establish presumption of death (R.C.	\$20	County treasury

Appendix A: Court Costs

	2101.16(A)(52))		
	Probating will (R.C. 2101.16(A)(53))	\$15	County treasury
	Proof of notice to beneficiaries (R.C. 2101.16(A)(53))	\$5 per page	County treasury
	Application of surviving spouse to purchase personal property (R.C. 2101.16(A)(54))	\$10	County treasury
	Petition of surviving spouse to purchase real estate at appraised value (R.C. 2101.16(A)(55))	\$20	County treasury
	Application and order to record receipts in addition to advertising charges (R.C. 2101.16(A)(56))	\$5	County treasury
	Record of those receipts, additional (R.C. 2101.16(A)(56))	\$1 per page	County treasury
	Record in excess of 1,500 words in any proceeding in the probate court (R.C. 2101.16(A)(57))	\$1 per page	County treasury
	Release of estate by mortgagee or other lienholder (R.C. 2101.16(A)(58))	\$5	County treasury
	Relieving estate from administration (R.C. 2101.16(A)(59))	\$60	County treasury
	Application for removal of fiduciary (R.C. 2101.16(A)(60))	\$10	County treasury
	Requalification of executor or administrator (R.C. 2101.16(A)(61))	\$10	County treasury
	Resignation of fiduciary (R.C. 2101.16(A)(62))	\$5	County treasury
	Sale bill, public sale of personal property (R.C. 2101.16(A)(63))	\$10	County treasury
	Application for sale of personal property and report (R.C. 2101.16(A)(64))	\$10	County treasury
	Petition for sale of real estate (R.C. 2101.16(A)(65))	\$25	County treasury
	Petition to terminate guardianship (R.C. 2101.16(A)(66))	\$10	County treasury
	Application, entry, and certificate for transfer of real estate (R.C. 2101.16(A)(67))	\$7	County treasury
	Application to invest unclaimed money (R.C. 2101.16(A)(68))	\$7	County treasury
	Motion to vacate approval of account or order of distribution (R.C. 2101.16(A)(69))	\$10	County treasury
	Writ of execution (R.C. 2101.16 (A)(70))	\$5	County treasury
	Writ of possession (R.C. 2101.16(A)(71))	\$5	County treasury
	Application and settlement of claim for wrongful death (R.C. 2101.16(A)(72))	\$20	County treasury
	Petition to review year's allowance (R.C. 2101.16(A)(73))	\$7	County treasury
	Filing and review of guardian's report (R.C. 2101.16(A)(74))	\$5	County treasury
	In relation to an application for the appointment of a guardian or the view of a report of a guardian, any or all of the expenses of an investigation under R.C. 2111.041 (R.C. 2101.16(B)(1))	All or part of the actual cost	The person or persons who incurred the expenses
	In relation to the appointment or functioning of a guardian for a minor or the guardianship of a minor, any or all of the expenses of an investigation under R.C. 2111.042 (R.C. 2101.16(B)(2))	All or part of the actual cost	The person or persons who incurred the expenses
	Fees for witnesses, jurors, sheriffs, coroners, and constables for services rendered in the probate court or by order of the probate court (R.C. 2101.16(D))	Same amount for like services in the court of common pleas	In the manner as required for the specific person

Appendix A: Court Costs

	Advance deposit for costs at the time application is made for an appointment as executor or administrator or at the time a will is presented for probate (R.C. 2101.16(E))	Set by court, not to exceed \$125	Retained by the court pending the probate of the will
	Filing of a petition for the release of information regarding an adopted person's name by birth and the identity of the adopted person's biological parents and biological siblings, all proceedings relative to the petition, the entry of an order relative to the petition, and all services required to be performed in connection with the petition (R.C. 2101.16(F))	Set by rule of court, not to exceed \$50	The court may use a reasonable portion of the fee to reimburse any agency for any services it renders in performing proceeding relative to the petition
	For services by a probate judge for which compensation is not provided (R.C. 2101.18)	Same fees as allowed the clerk of the court of common pleas for similar services.	County treasury
	Fee for solemnizing a marriage (R.C. 2101.27(A) and (B))	In reasonable amount established by rule of the judge	County treasury
	A probate judge receiving and keeping a will deposited with the judge and issuing a certificate of deposit (R.C. 2107.07)	\$1	County treasury
	The hearing of a fiduciary's inventory of real and personal property belonging to a trust (R.C. 2109.58)	Actual costs as may be equitable	County treasury
	In connection with an application for the appointment of a guardian for an alleged incompetent, the costs, fees, or expenses incurred by appointing physicians and other qualified persons to examine, investigate, or represent the alleged incompetent and assist the court in deciding whether a guardianship (R.C. 2111.031)	Actual costs	The physician or other person who examines, investigates, or represent the alleged incompetent
	In connection with an application for the appointment of a guardian for an alleged incompetent, an advance deposit to defray the anticipated costs of examination and to cover fees or expenses to be incurred to assist it in deciding whether a guardianship is necessary (R.C. 2111.031)	An amount that the court determines is necessary	Retained by the court pending the consideration of the application
	The hearing of an inventory of an estate (R.C. 2115.16)	Actual costs as may be equitable	County treasury
	If a probate court enters a release and satisfaction of all mortgages and other liens upon sold real estate that the executor, administrator, or guardian failed to enter (R.C. 2127.19)	At cost and a fee of \$0.25	County treasury
	Services of the probate court required pursuant to aid of execution by examination of debtor under R.C. 2333.09 to 2333.27 (R.C. 2333.26)	\$5 in each case and such other fees as allowed by law of clerk of the court of common pleas for similar services	County treasury

Appendix A: Court Costs

	Compensation to clerks, sheriffs, referees, receivers, and witnesses for services in proceedings in aid of execution (R.C. 2333.27)	Compensation as is allowed for like services in other cases	In the manner as required for the specific person
	Compensation to commissioners, appraisers, arbitrators, and auctioneers (R.C. 2335.02 and 2335.021)	As deemed reasonable and proper by the court	The commissioner, appraiser, arbitrator, or auctioneer
	Publication of cases information in daily law journal (R.C. 2701.09)	Set by court	The publisher of the law journal
Costs Dedicated to a Specific Purpose			
Court related			
Computerization (court)	A fee in addition to the R.C. 2101.16(A)(1), (3), (4), (6), (14) to (17), (20) to (25), (27), (30) to (32), (34), (35), (37) to (48), (50) to (55), (59) to (61), (63) to (66), (69), and (72) fees, the fee adopted pursuant to R.C. 2101.16(F), and the fee charged in connection with the docketing and indexing of an appeal (R.C. 2101.162(A)(1))	Set by court, not to exceed \$3	County treasury for deposit into a separate fund
Computerization (clerk of probate court)	A fee in addition to the R.C. 2101.16(A)(1), (3), (4), (6), (14) to (17), (20) to (25), (27), (30) to (32), (34), (35), (37) to (48), (50) to (55), (59) to (61), (63) to (66), (69), and (72) fees, the fee adopted pursuant to R.C. 2101.16(F), and the fee charged in connection with the docketing and indexing of an appeal (R.C. 2101.162(B)(1))	Set by court, not to exceed \$10	County treasury for deposit into a separate fund
Alternative dispute resolution	A fee, in addition to costs and fees under R.C. 2101.16, to implement dispute resolution procedures (R.C. 2101.163(A))	A reasonable fee, not to exceed \$15	County treasury for deposit into a separate fund
Other			
Indigent Guardianship Fund	\$30 of the \$35 fee collected for the appointment of a fiduciary and \$20 of the \$60 fee collected for relieving an estate from administration or granting an order for a summary release from administration is paid into the fund (R.C. 2101.16(C))	\$30 and \$20, respectively	County treasury for deposit into the Indigent Guardianship Fund
Putative Father Registry Fund	\$30 of the \$50 fee collected for a petition for adoption of a child is paid into the fund (R.C. 2101.16(G))	\$30	County treasury for deposit into the Putative Father Registry Fund
Victims of domestic violence shelters	A fee, in addition to regular marriage license fees, for each marriage license issued (R.C. 3113.34)	\$17	County treasury for deposit into a special fund

Municipal Courts

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	Making copies and certificates with regard to a bond (Cleveland Municipal Court) (R.C. 1901.21(B))	Set by the court	The court reporter
	Jury fees (R.C. 1901.25 and 1901.26(A)(3))	Same as in court of common pleas	The members of the jury
	Schedule of fees (R.C. 1901.26(A)(1)(a))	Set by the court	Treasury of the municipal corporation, if the court is operated by a municipal, or the county treasury, if the court is operated a county
	Schedule of fees and other extraordinary costs for the performance by officers or other employees of the municipal corporation's police department or marshal's office of any of the types of services performed by sheriffs or constables (R.C. 1901.26(A)(1)(b)(i) and (ii))	Set by the municipal corporation	General fund of the municipal corporation
	Fees and other expenses of a bailiff who performs a service of a sheriff or constable specified in R.C. 311.17 or 509.15 for which the municipal corporation has established a schedule of fees to be taxed as costs by the municipal court (R.C. 1901.26(A)(1)(b)(ii))	Set by the municipal corporation	General fund of the entity or entities that fund the bailiff's salary
	Advance deposit for the filing of any civil action or proceeding and publication fees (R.C. 1901.26(A)(2))	Set by the court	Retained by the court pending the litigation
	Advance deposit for jury fees (R.C. 1901.26(A)(3))	As fixed by rule of court	Retained by the court pending the litigation
	Witness fees in criminal and civil cases in accordance with R.C. 2335.06 and 2335.08 (R.C. 1901.26(A)(4))	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The witness
	Driving, towing, carting, storing, keeping, and preserving motor vehicles and other personal property recovered or seized in any proceeding (R.C. 1901.26(A)(5))	Reasonable charge fixed by court rule	The person or persons who incurred the cost
	Release of chattel property seized under any writ or process issued by the court and preserved for the benefit of all persons interested (R.C. 1901.26(A)(6))	Reasonable charge fixed by the court	The custodian of the chattel property
	Publication of legal notice required by statute or court order (R.C. 1901.26(A)(8) and 7.13)	Amount approved by court	The publisher

Appendix A: Court Costs

	Investigation of any title to real estate to be sold or disposed of under any writ or process of the court (Cleveland Municipal Court) (R.C. 1901.26(D))	Reasonable charges	The investigator
	Services of a requested court reporter in the same amount as may be taxed for similar services for shorthand reporters in the court of common pleas (Cleveland Municipal Court)(R.C. 1901.32(B))	\$25 per day	The Cleveland Treasury and the Cuyahoga County Treasury in the same proportion as the compensation for the court reporters is paid from the city and county treasuries and must be credited to the general funds of those treasuries
	A filing fee for the commencement of an action in the small claims division (R.C. 1925.04(A)(1))	Set by court	Treasury of the municipal corporation, if the court is operated by a municipal, or the county treasury, if the court is operated a county
	An additional fee for further issued notices of the filing of an action in a small claims division (R.C. 1925.05(B))	Set by court	Treasury of the municipal corporation, if the court is operated by a municipal, or the county treasury, if the court is operated a county
	Issuance and service a subpoena of a witness in a small claims case (R.C. 1925.11)	Actual cost	Via the required procedure for the officer who issued and served the subpoena
	Compensation to commissioners, appraisers, arbitrators, and auctioneers (R.C. 2335.02 and 2335.021)	As deemed reasonable and proper by the court	The commissioner, appraiser, arbitrator, or auctioneer
	Interpreter fees in any criminal proceeding or prosecution for the violation of an ordinance (R.C. 2335.09)	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The interpreter
	A bond for the appeal by the accused in a complaint to keep the peace of the decision of the court to the appropriate court of appeals (R.C. 2933.06)	\$50 to \$500, a set by the court	Filed with the appellate court

Appendix A: Court Costs

	Court reporter's transcript in a petition for postconviction relief, if ordered (R.C. 2953.21(C))	At cost	The court reporter
	Filing fee for an application to seal a record of conviction or bail forfeiture (R.C. 2953.32(C)(3))	\$15	\$30 to the State Treasury and \$20 into the county general revenue fund, if the conviction or forfeiture was pursuant to a state statute, or into the general revenue fund of the municipal corporation, if it was pursuant to a municipal ordinance
	Escrowed rent in a manufactured home park dispute or a landlord and tenant dispute (R.C. 3733.121(D) and 5321.08(D))	1% of the amount of rent deposited	The clerk
Costs dedicated to a specific purpose			
Court related			
Special projects	Filing of each criminal case, civil action, or proceeding (R.C.1901.26(B)(1))	Set by court	County treasury, if the court is operated by a county, or city treasury, if the court is operated by a municipal corporation, for deposit into either a general special projects fund or a fund established for a specific special project

Appendix A: Court Costs

Special program or service	Additional charge in a case of a specified type for covering costs of a special program or service offered by court (R.C. 1901.26(B)(1))	Amount set by court, adjusted periodically so total collected does not exceed actual cost	County treasury, if the court is operated by a county, or city treasury, if the court is operated by a municipal corporation, for deposit into either a general special projects fund or a fund established for a specific special project
Computerization (court)	Filing civil or criminal actions, civil actions for a judgment by confession, and appeals equivalent to one described in R.C. 2303.20(A), (Q), and (U) (R.C. 1901.261(A)(1))	Set by court, not to exceed \$3	County treasury, if the court is operated by a county, or city treasury, if the court is operated by a municipal corporation, for deposit into a separate fund
Computerization (clerk of court)	Filing actions or appeals, filing, docketing, and endorsing each certificate of judgment, and on the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment equivalent to one described in R.C. 2303.20(A), (P), (Q), (T), and (U) (R.C. 1901.26(B)(1))	Set by court, not to exceed \$10	County treasury, if the court is operated by a county, or city treasury, if the court is operated by a municipal corporation, for deposit into a separate fund
Alternate dispute resolution	Filing of each civil or criminal action or proceeding (R.C. 1901.262(A))	Reasonable fee set by court	County treasury, if the court is operated by a county, or city treasury, if the court is operated by a municipal corporation, for deposit into a separate fund
Other			

Appendix A: Court Costs

Legal aid societies and the State Public Defender	Filing of each new action or proceeding (except small claims division) (R.C. 1901.26(C))	\$26	Treasury of State with 4% deposited to the credit of the Civil Case Filing Fee Fund and 96% to the credit of the Legal Aid Fund
Legal aid societies and the State Public Defender	Filing of each new action or proceeding (small claims division) (R.C. 1901.26(C))	\$11	Treasury of State with 4% deposited to the credit of the Civil Case Filing Fee Fund and 96% to the credit of the Legal Aid Fund
Crime Victims Reparations Fund	For conviction of a misdemeanor (other than a nonmoving traffic offense (R.C. 2743.70)	\$9	Treasury of State for deposit into the Reparations Fund
Public defender offices	For conviction or plea of guilty to any offense (other than a nonmoving traffic offense) (R.C. 2949.091(A)(1))	\$15	Treasury of State for deposit into the General Revenue Fund
Public defender offices	For conviction of any offense (other than a nonmoving traffic offense) and posts bail (R.C. 2949.091(B))	\$15 to the amount of the bail	Treasury of State for deposit into the General Revenue Fund
Criminal Justice Regional Information System	An additional court cost imposed for moving violations that occur in that county (R.C. 2949.093(C))	To be set by the board of county commissioners, not to exceed \$5	County treasury for deposit into the Criminal Justice Regional Information Fund

County Courts

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	A fee for the judge's performance of a marriage ceremony anywhere in the state (R.C. 1907.18 and 1907.26)	Set by judge	May be retained by the judge
	Schedule of costs and fees (R.C. 1907.24(A)(1))	Set by court	The county treasury
	Advance deposit for the filing of any civil action or proceeding and publication fees (R.C. 1907.24(A)(2))	Set by court	Retained by the court pending the litigation
	Advance deposit for jury fees (R.C. 1907.24(A)(3) and 1923.101)	As fixed by rule of court	Retained by the court pending the litigation
	Jury fees (R.C. 1907.24(A)(3) and 1907.28)	Same as in court of common pleas	The members of the jury

Appendix A: Court Costs

	Witness fee, in criminal and civil cases in accordance with R.C. 2335.06 and 2335.08 (R.C. 1907.24(A)(4))	\$12 per day, \$6 per half day, and \$0.10 per mile mileage	The witness
	Driving, towing, carting, storing, keeping, and preserving motor vehicles and other personal property recovered or seized in a proceeding (R.C. 1907.24(A)(5))	Reasonable charge fixed by rule of court	The person or persons who incurred the cost
	Release of chattel property seized under any writ or process issued by the court and preserved for the benefit of all persons interested (R.C. 1907.24(A)(6))	Reasonable charge fixed by the court	The custodian of the chattel property
	Publication of legal notice required by statute or court order (R.C. 1907.26(A)(8) and 7.13)	Amount approved by court	The publisher
	Schedule of fees for miscellaneous services performed by the court or any of its judges (R.C. 1907.24(D))	Established by rule of court	County treasury
	Arbitrators fees (1907.42)	Same as jurors	The arbitrator
	An advanced deposit for jury fees (1907.42)	Actual cost	Retained by the court pending the litigation
	A filing fee for the commencement of an action in the small claims division (R.C. 1925.04(A)(1))	Set by court	County treasury
	An additional fee for further issued notices of the filing of an action in a small claims division (R.C. 1925.05(B))	Set by court	County treasury
	Actual cost of issuance and service a subpoena of a witness in a small claims case (R.C. 1925.11)	Actual cost	Via the required procedure for the officer who issued and served the subpoena
	Compensation to commissioners, appraisers, arbitrators, and auctioneers (R.C. 2335.02 and 2335.021)	As deemed reasonable and proper by the court	The commissioner, appraiser, arbitrator, or auctioneer
	An interpreter in a criminal proceeding or prosecution	The same as witnesses	The interpreter
	A bond for the appeal by the accused in a complaint to keep the peace of the decision of the court to the appropriate court of appeals (R.C. 2933.06)	\$50 to \$500, a set by the court	Filed with the appellate court

Appendix A: Court Costs

	Court reporter's transcript in a petition for postconviction relief, if ordered (R.C. 2953.21(C))	At cost	The court reporter
	Filing fee for an application to seal a record of conviction or bail forfeiture (R.C. 2953.32(C)(3))	\$15	\$30 to the State Treasury and \$20 into the county general revenue fund, if the conviction or forfeiture was pursuant to a state statute, or into the general revenue fund of the municipal corporation, if it was pursuant to a municipal ordinance
	Escrowed rent in a manufactured home park dispute or a landlord and tenant dispute (R.C. 3733.121(D) and 5321.08(D))	1% of the amount of rent deposited	The clerk
Costs dedicated to a specific purpose			
Court related			
Special projects	Filing of criminal cause, civil action or proceeding, or judgment by confession (R.C. 1907.24(B)(1))	Set by court	County treasury for deposit into either a general special projects fund or a fund established for a specific special project
Special program or service	Covering costs of a special program or service offered by court in cases of a specified type (R.C. 1907.24(B)(1))	Amount set by court, adjusted periodically so total collected does not exceed actual cost	County treasury for deposit into either a general special projects fund or a fund established for a specific special project
Computerization (court)	Filing of each cause or appeal equivalent to the one described in R.C. 2303.20(A), (Q), or (U) (R.C. 1907.261(A)(1))	Set by court, not to exceed \$3	County treasury for deposit into a separate fund
Computerization (clerk of court)	Filing of each cause of action or appeal, filing, docketing, and endorsing each certificate of judgment, or on the docketing and indexing of each aid in execution or petition to vacate, revive, or modify a judgment that is equivalent to the one described in R.C. 2303.20(A), (P), (Q), (T), or (U) (for computerization of clerk of court's office) (R.C. 1907.261(B)(1))	Set by court, not to exceed \$10	County treasury for deposit into a separate fund
Alternate dispute resolution	Filing of each civil or criminal action or proceeding (R.C. 1907.262(A))	Reasonable fee set by court	County treasury for deposit into a separate fund

Appendix A: Court Costs

Other			
Legal aid societies and the State Public Defender	Filing of civil action or proceeding (except small claims division) (R.C. 1907.24(C))	\$26	Treasury of State with 4% deposited to the credit of the Civil Case Filing Fee Fund and 96% to the credit of the Legal Aid Fund
Legal aid societies and the State Public Defender	Filing of civil action or proceeding (small claims division) R.C. 1907.24(C))	\$11	Treasury of State with 4% deposited to the credit of the Civil Case Filing Fee Fund and 96% to the credit of the Legal Aid Fund
Crime Victims Reparations Fund	For conviction of a misdemeanor (other than a nonmoving traffic offense) (R.C. 2743.70)	\$9	Treasury of State for deposit into the Reparations Fund
Public defender offices	For conviction or plea of guilty to any offense (other than a nonmoving traffic offense) (R.C. 2949.091(A)(1))	\$15	Treasury of State for deposit into the General Revenue Fund
Public defender offices	For conviction of any offense (other than a nonmoving traffic offense) and posts bail (R.C. 2949.091(B))	\$15 to the amount of the bail	Treasury of State for deposit into the General Revenue Fund
Criminal Justice Regional Information System	An additional court cost imposed for moving violations that occur in that county (R.C. 2949.093(C))	To be set by the board of county commissioners, not to exceed \$5	County treasury for deposit into the Criminal Justice Regional Information Fund

Mayor's Courts

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	Same fees as are allowed in the municipal or county court within whose jurisdiction the mayor's municipal corporation is located (R.C. 1905.08)	See " Municipal Courts " and " County Courts " above	Treasury of the municipal corporation

Costs for services rendered by a sheriff

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			

Appendix A: Court Costs

	For the service and return of an order of execution when money is paid without levy or when no property is found (R.C. 311.17(A)(1)(a))	\$20	General fund of that county
	For the service and return of an order of execution when levy is made on real property (R.C. 311.17(A)(1)(b))	\$25 for the first tract, and \$10 per additional tract	General fund of that county
	For the service and return of an order of execution when levy is made on goods and chattels, including inventory (R.C. 311.17A)(1)(c))	\$50	General fund of that county
	For the service and return of writ of attachment of property, except for purpose of garnishment (R.C. 311.17(A)(2))	\$40	General fund of that county
	For the service and return of a writ of attachment for the purpose of garnishment (R.C. 311.17(A)(3))	\$10	General fund of that county
	For the service and return of a writ of replevin (R.C. 311.17(A)(4))	\$40	General fund of that county
	For the service and return of a warrant to arrest (R.C. 311.17(A)(5))	\$10 per person named in the writ	General fund of that county
	For the service and return of an attachment for contempt (R.C. 311.17(A)(6))	\$6 per person named in the writ	General fund of that county
	For the service and return of a writ of possession or restitution (R.C. 311.17(A)(7))	\$60	General fund of that county
	For the service and return of a subpoena (R.C. 311.17A)(8))	\$6 per person named in the writ	General fund of that county
	For venire (R.C. 311.17(A)(9))	\$6 per person named in the writ	General fund of that county
	For the summoning of each juror, other than on venire (R.C. 311.17(A)(10))	\$6	General fund of that county
	For the service and return of a writ of partition (R.C. 311.17(A)(11))	\$25	General fund of that county
	For the service and return of an order of sale on partition (R.C. 311.17(A)(12))	\$50 for the first tract, \$25 per additional tract	General fund of that county
	For the service and return of another order of sale of real property (R.C. 311.17(A)(13))	\$50 for the first tract, \$25 per additional tract	General fund of that county
	Administering oath to appraisers (R.C. 311.17(A)(14))	\$3 each	General fund of that county
	Furnishing copies for advertisements (R.C. 311.17(A)(15))	\$1 per 100 words	General fund of that county
	For the service and return of a copy of an indictment (R.C. 311.17(A)(16))	\$5 per defendant	General fund of that county
	For the service and return of all summons, writs, orders, or notices (R.C. 311.17(A)(17))	\$6 for the first name, \$1 per additional name	General fund of that county
	Mileage on each summons, writ, order or notice (R.C. 311.17(B)(1))	\$1 for the first mile, and \$.50 per mile for each additional mile going and returning, actual mileage to be charged on each additional name	General fund of that county
	Taking bail bond (R.C. 311.17(B)(2))	\$3	General fund of that county

Appendix A: Court Costs

	For receiving a prisoner into the jail and for discharging or surrendering a prisoner from jail (R.C. 311.17(B)(3)(a))	\$5	General fund of that county
	Taking a prisoner in the jail before a judge or court (R.C. 311.17(B)(3)(b))	\$5 per day	General fund of that county
	Calling action (jail fee) R.C. 311.17(B)(3)(c))	\$1	General fund of that county
	Calling jury (jail fee) R.C. 311.17(B)(3)(d))	\$3	General fund of that county
	Bringing prisoner in the jail before court on habeas corpus (R.C. 311.17(B)(3)(f))	\$6	General fund of that county
	Poundage on all money actually made and paid to the sheriff on execution, decree, or sale of real estate (R.C. 311.17(B)(4))	1.5%	General fund of that county
	Making and executing a deed of land sold on execution, decree, or order of the court (R.C. 311.17(B)(5))	\$50, paid by the purchaser	General fund of that county

Costs for services rendered by township constables or members of the police force of a township police district or joint police district

Cost type	Specific cost	Amount of cost	Recipient of money
Regular costs			
	Serving and making return of each order to commit to jail, order on jailer for prisoner, or order of ejectment, including copies to complete service (R.C. 509.15(A)(1))	\$1 per defendant named	General fund of the appropriate township or district
	Service and making return of each search warrant or warrant of arrest (R.C. 509.15(A)(2))	\$5 per person named in the writ	General fund of the appropriate township or district
	Serving and making return of each writ of attachment of property, except for purpose of garnishment (R.C. 509.15(A)(3))	\$20	General fund of the appropriate township or district
	Serving and making return of each writ of attachment for the purpose of garnishment (R.C. 509.15(A)(4))	\$5	General fund of the appropriate township or district
	Serving and making return of each writ of possession or restitution (R.C. 509.15(A)(5))	\$20	General fund of the appropriate township or district
	Serving and making return of each writ of attachment for contempt (R.C. 509.15(A)(6))	\$3 per person named in the writ	General fund of the appropriate township or district
	Serving and making return of each writ of replevin (R.C. 509.15(A)(7))	\$20	General fund of the appropriate township or district

Appendix A: Court Costs

	Serving and making return of summons and writs, subpoena, venire, and notice to garnishee, including copies to complete service (R.C. 509.15(A)(8))	\$3 per person named	General fund of the appropriate township or district
	Serving and making return of execution against property or person (R.C. 509.15(A)(9))	\$0.80 plus 6% of all money collected	General fund of the appropriate township or district
	Serving and making return of any other writ, order, or notice required by law, including copies to complete service (R.C. 509.15(A)(10))	\$3 for the first name and \$0.50 per additional name	General fund of the appropriate township or district
	Mileage for the distance actually and necessarily traveled in serving and returning any of the preceding writs, orders, and notices (R.C. 509.15(B))	\$0.50 for the first mile and \$0.20 per additional mile	General fund of the appropriate township or district
	For attending a criminal case during the trial or hearing and having charge of prisoners (but is not entitled to a witness fee if called upon to testify) (R.C. 509.15(C))	\$2.50 per case	General fund of the appropriate township or district
	For attending civil court during a trial without jury (R.C. 509.15(D))	\$2 per case	General fund of the appropriate township or district
	For attending civil court during a trial without jury (R.C. 509.15(E))	\$1.50 per case	General fund of the appropriate township or district
	For the transportation, meals, and lodging of prisoners, and for the moving and storage of goods and the care of animals taken on any legal process (R.C. 509.15(F))	Actual amount paid solely for that expense	General fund of the appropriate township or district
	For summoning and swearing appraisers (R.C. 509.15(G))	\$2 per case	General fund of the appropriate township or district
	For advertising property for sale, by posting, taken on any legal process (R.C. 509.15(H))	\$1	General fund of the appropriate township or district
	For taking and making return of any bond required by law (R.C. 509.15(I))	\$0.80	General fund of the appropriate township or district

Notwithstanding anything to the contrary in R.C. 509.15, if any comparable fee or expense specified under R.C. 311.17 is increased to an amount greater than that set forth in R.C. 509.15, the board of township trustees, board of trustees of the township police district, or joint township police district board, as appropriate, may require that the amount taxed as costs under R.C. 509.15 equal the amount specified under R.C. 311.17 (R.C. 509.15).

Joint Committee *to* Study Court Costs *and* Filing Fees
July 2008