

BASE FILING FEES EFFECTIVE 9/1/2011

Civil Case -Basic	\$252.00
Divorce-Basic	\$258.00
Divorce w/Waiver	\$260.00
Divorce w/Citation	\$266.00
Divorce w/Citation & Service	\$346.00
Adoption or Termination or Adoption-Termination	\$258.00
Parent Child Relationship	\$258.00
Protective Order (Paid by Respondent if court ordered)	\$273.00
Expunction	\$252.00
Foreign Judgment	\$252.00
Cases Transferred In	\$55.00
Occupational Drivers License	\$252.00
QDRO	\$252.00
Name Change of Adult/Child	\$258.00
BASIC FILING FEE (NEW CIVIL SUITS)	\$252.00
10 OR FEWER PLAINTIFFS (included with filing fee)	\$50.00
11 TO 25 PLAINTIFFS	\$75.00
26 TO 100 PLAINTIFFS	\$100.00
101 TO 500 PLAINTIFFS	\$125.00
501 TO 1000 PLAINTIFFS	\$150.00
MORE THAN 1000 PLAINTIFFS	\$200.00

Severed Cases will be filed as a new case and will incur the new filing fee.

Example: New civil case is \$252.00

New family case is \$ 258.00

There will be no charge for a Motion for Severance but if the order is signed by the Judge- You will need to pay the filing fee for a new case.

CIVIL MOTIONS AND OTHER ACTIONS

Counterclaim	\$55.00
Cross Action	\$55.00
Motion for Enforcement	\$55.00
Motion for New Trial	\$55.00
Interpleader	\$55.00
Intervention	\$55.00
Third Party Petition	\$55.00
Motion to Transfer	\$55.00
Each action above is \$15.00. Added is the Indigent Legal Services fee of \$10.00 and the Records	

Preservation fee of \$20.00 a new fee for the Court of Appeals \$5.00 for a total of \$50.00
Transfer in from Another County \$50.00

\$75.00

FAMILY MOTIONS AND OTHER ACTIONS

Motion for Modification	\$50.00
Motion for Enforcement	\$50.00
Motion to Transfer	\$50.00
Motion for Contempt	\$50.00
Counter Claim	\$50.00
Cross Action	\$50.00
Intervention	\$50.00
Motion for New Trial	\$50.00
Third Party Petition	\$50.00
Each action above is \$15.00. Additional fees are the Indigent Legal Services fee of \$5.00 and the Records Preservation fee of \$20.00, a new fee for the Court of Appeals \$5.00 for a total of \$45.00	
Transfer in from Another County	\$55.00

EXTRA SERVICES and ISSUANCE FEES

Issuance and Extra Service fees are in addition to the base cost of filing a new suit or action.

Waiver	\$2.00
Citation	\$8.00
Notice	\$8.00
Citation for Secretary of State (Please include extra copies) Issuance only- Additional fees by Secretary of State-must be paid to them.	\$12.00
Temporary Restraining Order (Issuance)	\$8.00
Subpoena	\$8.00
Birth Certificate	\$47.00
Jury Fee	\$30.00
Abstract of Judgment	\$8.00
Employers Order-Garnishment	\$20.00
Writ of Habeas Corpus	\$8.00
Writ of Partition	\$8.00
Writ of Possession	\$8.00

Writ of Scire Facias	\$8.00
Writ of Seq.	\$8.00
Writ of Withholding	\$8.00
Writ of Garnishment	\$8.00
Writ of Attachment	\$8.00
Writ of Commitment	\$8.00
Writ of Execution	\$8.00
Record Search	\$5.00
Copies Per Page	\$1.00
Bond Approval	\$4.00
Bill of Costs Per Page	\$1.00
Service by Certified Mail	\$80.00
Citation by Publication	80.00
Citation by Posting	\$80.00
<p>Note: If doing Citation by Publication-You must pay a Separate Payment to the Lindale News of \$90.00—please include this payment to us. So that we can make sure that payment is sent to the Lindale News.</p> <p>Note: If required by law to run more than one week-There will be an additional charge from the Lindale News of \$90.00 per week. Also, if the ad is bigger than normal-There will be an additional charge for the size. This will be determined by the Lindale News.</p>	

SMITH COUNTY SHERIFF AND CONSTABLE FINES AND FEES

All other Court Citations	\$80.00
Subpoenas	\$80.00
Summons	\$80.00
Writ of Attachment (Property)	\$120.00
Writ of Attachment	\$125.00
Writ of Garnishment	\$105.00
Writ of Sequestration	\$120.00
Order of Sale	\$120.00
Writ of Possession (Property)	\$120.00
Forcible Detainer	\$80.00
Small Claims Citation	\$75.00
Justice Court Citation	\$75.00
Posting Written Notice	\$40.00
Posting Order of Trustee Sale	\$35.00
Posting of Probate Citations	\$40.00
Writ of Mental Commitment	\$115.00
Writ of Injunction	\$115.00

Writ of Re-entry	\$115.00
Writ of Restitution	\$115.00
Writ of Execution	\$170.00
Note: Smith County collects an additional fee of \$25.00 per hour per deputy when deputies are required to remain on the scene more than 2 hours.	

AUTHORITY FOR FEES

Use this site to look up statute/rules: <http://www.statutes.legis.state.tx.us/>

<u>Abstract</u>	<u>GC,Sec. 51.318 (b)(2)</u>
<u>Administrative Writ of Withholding</u>	<u>FC,Sec. 158.503</u>
<u>Adoption-CAR Fund</u>	<u>FC,Sec. 108.006</u>
<u>Alternative Dispute Resolution (Mediation)</u>	<u>CPRC, Sec. 51.318 (b)(2)</u>
<u>Bench Warrant</u>	<u>GC, Sec. 51.318</u>
<u>Bond Approval</u>	<u>GC, Sec. 51.318</u>
<u>Capias</u>	<u>GC,Sec. 51.318 (b)(2)</u>
<u>Certificate of Adoption</u>	<u>GC, Sec. 51.319(3)</u>
<u>Certification of Copies</u>	<u>GC, Sec. 51.318</u>
<u>Certified Mail Service on Citation</u>	<u>GC, Sec. 51.319(2)</u>
<u>Citation</u>	<u>GC,Sec. 51.318 (b)(2)</u>
<u>Clerk filing fee (1-10 plaintiffs)</u>	<u>GC,Sec. 51.317(b)</u>
<u>Clerk filing fee (11-25 plaintiffs)</u>	<u>GC,Sec. 51.317(b-1)</u>
<u>Clerk filing fee (26-100 plaintiffs)</u>	<u>GC,Sec. 51.317(b-1)</u>
<u>Clerk filing fee (101-500 plaintiffs)</u>	<u>GC,Sec. 51.317(b-1)</u>
<u>Clerk filing fee (501-1000 plaintiffs)</u>	<u>GC,Sec. 51.317(b-1)</u>
<u>Clerk filing fee (Over-1000 plaintiffs)</u>	<u>GC,Sec. 51.317(b-1)</u>
<u>Commission for Deposition</u>	<u>GC,Sec.51.318(b)</u>
<u>Consolidated Civil Fee (new civil suits)</u>	<u>LGC, Sec. 133.151</u>

<u>Consolidated Civil Fee (new family law suits)</u>	<u>LGC, Sec. 133.151</u>
<u>Contempt Action (civil)</u>	<u>GC, Sec. 51.317(b)(2)</u>
<u>Copies (certified and non certified)</u>	<u>GC, Sec. 51.318</u>
<u>Cost Bill</u>	<u>GC, Sec. 51.319(3)</u>
<u>Counterclaim</u>	<u>GC, Sec. 51.317(b)(2)</u>
<u>Court Reporter Service Fee</u>	<u>GC, Sec. 51.601</u>
<u>Cross Action</u>	<u>GC, Sec. 51.317(b)(2)</u>
<u>Deliver Order Vacating/Suspending License</u>	<u>FC, Sec.132.013(b)</u>
<u>District Clerks Records Mgmt/Preservation</u>	<u>GC, Sec. 51.317©(1)</u>
<u>Expunction Order</u>	<u>CCP, Art. 102.006(3)</u>
<u>Expunction Petition</u>	<u>CCP, Art. 102.006(1)</u>
<u>Family Protection Fee</u>	<u>GC, Sec. 51.961</u>
<u>Foreign Judgment Filing (civil/family matter)</u>	<u>CPRC, Sec. 35.007</u>
<u>Fraudulent Lien, Claim or Court Records</u>	<u>CPRC, Chapter 12</u>
<u>Indigent Legal Services (civil matters)</u>	<u>LGC, Sec. 133.152 (a)(2)</u>
<u>Indigent Legal Services (family law matters)</u>	<u>LGC, Sec. 133.152 (a)(1)</u>
<u>Insufficient Check Fee</u>	<u>BCC, Sec. 3.506</u>
<u>Intervention</u>	<u>GC, Sec. 51.317(b)(2)</u>
<u>Judicial Support Fee</u>	<u>LGC, Sec. 133.154</u>
<u>Jury Fee</u>	<u>GC, Sec. 51.604</u>
<u>Letter Rogatory</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Motion for Contempt- Family</u>	<u>FC, Sec. 110.002</u>
<u>Motion for Enforcement- Family</u>	<u>FC, Sec. 110.002</u>
<u>Motion for New Trial</u>	<u>GC, Sec. 51.317(b)(2)</u>
<u>Motion to Clarify</u>	<u>GC, Sec. 51.319(3)</u>
<u>Motion to Modify (Family)</u>	<u>FC, Sec. 110.002</u>
<u>Motion to Revoke Stay of License Suspension</u>	<u>FC, Sec. 110.002</u>
<u>Motion to Transfer Family</u>	<u>FC, Sec. 110.002</u>
<u>Notice</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Notice of Application for Judicial Writ of Withholding</u>	<u>FC, Sec. 110.002</u>
<u>Order of Sale</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Petition for Injunction of Fraudulent filing lien</u>	<u>CPRC, Sec. 12.005</u>
<u>Petition for License</u>	<u>FC, Sec. 110.002</u>

<u>Suspension</u>	
<u>Petition for Non-closure (plus new suit fee)</u>	<u>GC, Sec. 411.081(d)</u>
<u>Precept</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Protective Order Application/Notice</u>	<u>GC, Sec. 81.003</u>
<u>QDRO Post-Decree Petition</u>	<u>FC, Sec. 9.102</u>
<u>Records Management/ Preservation</u>	<u>GC, Sec. 51.317©(1)</u>
<u>Records Search</u>	<u>GC, Sec. 51.318</u>
<u>Register Child Custody Determination Order</u>	<u>FC, Sec. 152.305 and CPRC, Sec. 35.007</u>
<u>Register Child Support Order</u>	<u>FC, Sec. 159.602(b) and CPRC, Sec.35.007</u>
<u>Registry Administration Fee (interest bearing)</u>	<u>LGC, Sec. 117.055</u>
<u>Registry Administration Fee (non-interest bearing)</u>	<u>LGC, Sec. 117.054</u>
<u>Report of Divorce</u>	<u>HSC, Sec. 194.002(e)</u>
<u>Request to Modify or Terminate Withholding</u>	<u>FC, Sec. 158.403</u>
<u>Scire Facias</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Security Fee (new suits)</u>	<u>LGC, Sec. 291.008(a)</u>
<u>Security Fee (on additional filings)</u>	<u>LGC, Sec. 291.008 (d)</u>
<u>Services for which no fee is otherwise provided</u>	<u>GC, Sec. 51.319(3)</u>
<u>Show Cause Notice</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Subpoena (and duces tecum)</u>	<u>GC, Sec. 51.318(b)(1)</u>
<u>Temporary Restraining Order</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Third-Party Petition</u>	<u>GC, Sec. 51.317(b)(2)</u>
<u>Transfer In Family Law Case</u>	<u>FC, Sec. 110.005</u>
<u>Withholding Order/Writ Issuance</u>	<u>FC, Sec. 110.004</u>
<u>Witness Fee (attached to subpoena)</u>	<u>CPRC, Sec. 22.001</u>
<u>Writ of Attachment</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Writ of Execution</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Writ of Garnishment</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Writ of Habeas Corpus</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Writ of Injunction</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Writ of Possession</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Writ of Prohibition</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Writ of Sequestration</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>Writ of Turnover</u>	<u>GC, Sec. 51.318(b)(2)</u>

<u>Writ of Venditioni Exponas</u>	<u>GC, Sec. 51.318(b)(2)</u>
<u>State Consolidated Fee</u>	<u>GC, Sec. 133.151</u>
<u>Petition for Non Disclosure Fee</u>	<u>GC, Sec. 411.081(d)(h)</u>
<u>Law Library Fee</u>	<u>GC, Sec. 323.023</u>
<u>Clerk's Basic Filing Fee Family</u>	<u>FC, Sec. 110.002</u>
<u>DRO Initial Operations Fee</u>	<u>FC, Sec. 203.005</u>
<u>DRO Initial Child Support Service Fee</u>	<u>FC, Sec. 203.005</u>
<u>District Clerk Insurance Contingency Fund Fee</u>	<u>GC, Sec. 51.302(e)</u>
<u>Appellate Judicial System Fee</u>	<u>GC, Sec. 22.2041, 22.2101, 22.2021, 22.2051, 22.2061, 22.2141, 22.2121, 22.2031</u>
Severance Fee Code	GC, Sec. 3.108

1.08 Severed Cases

Whenever a motion to sever is granted, the severed claim shall be filed as a new case in the same Court and shall be assigned a new cause number by the District Clerk. A filing fee is required as in all new cases and the attorneys must provide copies of the severed pleadings at the time of filing.

Abbreviations:

GC-Government Code

LCG-Local Government Code

FC-Family Code

CPRC-Civil Practice and Remedies Code

BCC- Business and Commerce Code