

MEMORANDUM

TO: Attorneys and Process Servers

FROM: Richard M. Weiss, Clerk of the Circuit Court

DATE: June 11, 2008

RE: Filing Fee Increase Effective July 1, 2008

Filing fees for civil actions will increase significantly July 1, 2008, as a result of newly enacted legislation. This memo comes to you in an attempt to eliminate problems that might arise if pleadings are submitted without the correct fees.

I am including a schedule of revised fees that will be effective July 1, 2008, for your use and encourage you to review it carefully.

Criminal fines also increase significantly but are not included on the revised fee schedule. You will need to review Senate Bill 1790 for those increases.

The legislation provides that the Clerk's Office cannot use any of the increase in fees to fund operations and the increases shall be sent to the state general revenue fund.

Attachment

FEE SCHEDULE

Effective July 1, 2008

Richard M. Weiss

Clerk of the Circuit Court

Polk County, Florida

All Clerk Departments (863)534-4000

www.polkcountyclerk.net

SERVICE CHARGES

All Departments

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|---|----|-------|
| Examining, comparing, correcting, verifying & certifying transcripts in appellate proceedings | \$ | 5.00 |
| Preparing, numbering, & indexing original record of appellate proceedings | \$ | 3.50 |
| Certifying copies in Public Record | \$ | 2.00 |
| Verifying an instrument presented for certification prepared by someone other than Clerk | \$ | 3.50 |
| Copies by photographic in Public Records not more than 14 in. by 8 1/2 in. | \$ | 1.00 |
| Copies by photographic in Public Records more than 14 in. by 8 1/2 in. | \$ | 5.00 |
| Microfilm copies 16 mm 100' (Court Only) | \$ | 42.00 |
| Microfilm copies 35 mm 100' (Court Only) | \$ | 60.00 |
| For processing and filing unrecorded maps or plats | | |
| (a) First page | \$ | 30.00 |
| (b) Each additional page | \$ | 15.00 |
| Microfiche (Court Only) | \$ | 3.50 |
| Copying other than photographic process per page | \$ | 6.00 |
| Writing paper, other than specifically mentioned, including copying, signing and sealing | \$ | 7.00 |
| Indexing entry not recorded | \$ | 1.00 |
| Oath, administering, attesting and sealing | \$ | 3.50 |
| Validating certificates | \$ | 3.50 |
| Exemplified certificates, including signing & sealing | \$ | 7.00 |
| Authenticated certificates, including signing & sealing | \$ | 7.00 |
| Issuing & filing subpoena for a witness | \$ | 7.00 |
| Signing and sealing only | \$ | 2.00 |

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| Approving bond | \$ 8.50 |
| Searching records/per year | \$ 2.00 |
| Sealing any court file or expungement of record | \$ 42.00 |
| Receiving and disbursing all restitution payments/per payment | \$ 3.50 |
| Index, Record certificate of compliance under Motor Vehicle Act | \$ 10.00 |
| Transfer of lien | \$ 20.00 |
| For each additional lien on the same security | \$ 10.00 |
| Notice of recording foreign judgment | \$ 42.00 |
| <u>Liens (If processed in Courts Division)</u> | |
| Filing bond executed as surety by surety insure licensed to do business in the State. (Mechanic Lien) | \$ 20.00 |
| Filing bond executed as surety by surety insure licensed to do business in the State. Multiple Liens | \$ 10.00 |
| Partial payment fee, one time set-up charge (per payment plan) | \$ 25.00 |
| Application Fee for appointed counsel (per application) | \$ 50.00 |
| Copies per page other than official records and court records 119.07(1)(a), F.S. | \$ 0.15 |
| Copy of audio tape of BOCC meeting per CD | \$ 5.00 |
| <u>Registry of Court; receiving money:</u> | |
| First \$500 or part, per payment | 3% |
| each subsequent \$100 or part per payment | 1.5% |
| Eminent domain deposit | \$ 170.00 |
| <u>Appeals</u> | |
| For filing a notice of appeal: | |
| From County Court to Circuit | \$ 281.00 |
| From Circuit Court to DCA or Supreme Court | \$ 100.00 |

OFFICIAL RECORDS DEPARTMENT

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| For recording, indexing and filing any instrument up to 14" x 8.5": | |
| (a) First page | \$ 10.00 |
| (b) Each additional page or fraction thereof | \$ 8.50 |
| (c) For indexing instruments recorded in the Official Records which contain more than four names, per additional name | \$ 1.00 |
| For examining, certifying and recording plats & for recording condominium exhibits larger than 14" x 8.5" | |
| (a) First page | \$ 30.00 |
| (b) Each additional page or fraction thereof | \$ 15.00 |

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| For preparing affidavit of domicile | \$ 5.00 |
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NOTE: Schedule of Florida Documentary Stamp Tax and Intangible Personal Property Tax required on certain instruments may be obtained from the Recording Department

INDEXING AND TAX DEED DEPARTMENT

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| For processing application for law deed sale, conducting the sale and preparation of tax deed | \$ 60.00 |
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| For disbursement of excess proceeds of tax deed sale, per disbursement | \$ 10.00 |
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| Clerk's Certificate as to Notary (including search) | \$ 5.00 |
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| Fictitious Name Search (Complete 1941 to current date) | \$ 5.00 |
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MARRIAGE LICENSE/PASSPORT DEPARTMENT

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| For application and administering of oath, issuing, sealing and recording of the license and providing a certified copy when 3-day waiting period applies | \$ 93.50 |
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| For application and administering of oath, issuing, sealing and recording of the license and providing a certified copy for same day issuance if bride and groom are out-of-state residents. | \$ 93.50 |
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| For application and administering of oath, issuing, sealing and recording of the license and providing a certified copy for same day issuance with proof of pre-marital course by a provider on Clerk's pre-marital list. | \$ 61.00 |
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| For solemnizing matrimony | \$ 30.00 |
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| Marriage Certificate (Suitable for framing) | |
| --without record search | \$ 6.00 |
| --with record search | \$ 7.50 |

Receiving and processing Passport Applications:

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| (a) Execution fee (cash & credit cards) All applications | \$ 25.00 |
| (b) Check or money order only payable to "U.S. Department of State" | |

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| ---Age 16 and over | \$ 75.00 |
| ---Age 15 and under | \$ 60.00 |

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| Overnight: | | |
| ---Age 16 and over | | \$ 89.85 |
| ---Age 15 and under | | \$ 74.85 |
| Expedited overnight: | | |
| ---Age 16 and over | | \$ 149.85 |
| ---Age 15 and under | | \$ 134.85 |
| Passport renewal | | \$ 75.00 |
| Passport Cards | | |
| ---Age 16 and over | | \$ 20.00 |
| ---Age 15 and under | | \$ 10.00 |

MARRIAGE LICENSES AND PASSPORT FEES ARE CASH OR CREDIT CARD ONLY

CIRCUIT COURT CIVIL DEPARTMENT

For instituting a civil action, suit or proceeding:

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| To initiate a civil action of \$15,000 or more with 5 defendants or less <i>Includes most civil and family cases except dissolutions.</i> | | \$ 300.00 |
| For each defendant in excess of five | | \$ 2.50 |
| Civil cross claims, counterclaim, third party complaint | | \$ 295.00 |
| Dissolution of marriage (including simplified) | | \$ 408.00 |
| <i>For counter-claim seeking a dissolution, where dissolution is not already sought</i> | | \$ 403.00 |
| <i>In Addition, for Garnishment, Attachment, Replevin & Distress</i> | | \$ 85.00 |
| <i>For each severance granted</i> | | \$ 18.00 |
| Issuing a summons, (each) | | \$ 10.00 |

Appeals

For filing a notice of appeal:
From County Court to Circuit \$ 281.00
From Circuit Court to DCA or Supreme Court \$ 100.00

Medical Malpractice Extension of time \$ 42.00

For re-opening a case previously reported as closed \$ 50.00

Holding judicial sale recording and recording and certifying sale and title \$ 70.00

Issuing a writ of execution on a foreign judgment* \$ 42.00
*\$42.00 plus the appropriate filing fee when action is filed)

Transfer of lien to security:
Transfer of one lien \$ 20.00
Each additional lien transferred to the same security \$ 10.00
For recording the certificate \$ 10.00

Self-Help/Pro Se litigants (Persons who have decided to file their own family law suits which are uncontested.) The Clerk sells self help books, for more information on Self-Help call (863)534-4015. Book Prices (cash or credit card only):

Dissolution of Marriage with **No**
(a) Dependent children and **No property** \$ 20.00

Dissolution of Marriage with **No**
(b) Dependent children and property \$ 20.00

Dissolution of Marriage with
(c) Dependent children and property \$ 25.00

Dissolution of Marriage with
(d) Dependent children and **No property** \$ 20.00

(e) Name change for a minor child \$ 15.00

DOMESTIC RELATIONS DEPARTMENT

For receiving and disbursing domestic support payments, per payment obligated, not to exceed \$5.25 or be less than \$1.25 per payment obligated 4%

For preparing and issuing a Notice of Delinquency (lien) (plus postage) \$ 25.00

For preparing a lien pay-off statement \$ 25.00

For initiating driver license suspension \$ 25.00

Contesting impending judgment \$ 25.00

Preparing judgment or satisfaction or any other paper (each) \$ 7.00

COUNTY CIVIL DEPARTMENT

For instituting any civil action or proceeding up to \$15,000.00:

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|---|----|--------|
| (a) For each claim less than \$100 | \$ | 55.00 |
| (b) For each claim of \$100 but not more than \$500 | \$ | 80.00 |
| (c) For each claim of more than \$500 but not more than \$2,500 | \$ | 175.00 |
| (d) For each claim of more than \$2,500 | \$ | 300.00 |
| --For each defendant in excess of five | \$ | 2.50 |

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| For removal of tenant action | \$ | 270.00 |
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| In addition, for all proceedings of garnishment, attachment, replevin and distress | \$ | 85.00 |
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For re-opening a case that was previously reported as closed:

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| (a) For Claims less than \$500 | \$ | 25.00 |
| (b) For Claims \$500 or more | \$ | 50.00 |

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| Civil cross claim, counter claim, third party complaint (in excess of \$2,500) | \$ | 295.00 |
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| Issuing a summons, each | \$ | 10.00 |
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| For issuing a Writ of Execution on a Foreign Judgment 55.505(3)F.S * | \$ | 42.00 |
| *\$42.00 plus the appropriate filing fee when action is filed | | |

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| Holding judicial sale recording and Recording and certifying the sale and title | \$ | 70.00 |
| For approving bond | \$ | 8.50 |

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| Transfer of Lien to Security | | |
| (a) For transfer of one lien | \$ | 20.00 |
| (b) For each additional lien transferred to same security | \$ | 10.00 |

PROBATE DEPARTMENT

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| For the opening of any estate of one document or more | \$ | 116.00 |
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| Caveat and Notice of trust | \$ | 41.00 |
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| Petition and order to admit foreign wills, authenticated copies, exemplified copies of transcript of record | \$ | 116.00 |
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| For disposition of personal property without administration | \$ | 116.00 |
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| Summary administration, estates valued at Les than \$1,000 | \$ | 120.00 |
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| Summary administration, estates valued at \$1,000 or more | \$ | 230.00 |
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| Formal administration, guardianship, ancillary, curatorship or conservatorship proceeding | \$ | 285.00 |
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| Guardianship proceeding of person only | \$ | 120.00 |
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| Veterans Administration guardianship pursuant to Chapter 744 | \$ | 120.00 |
| Petition for determination of capacity | \$ | 116.00 |
| For re-opening a previously closed case | \$ | 50.00 |
| Guardianship Audit Fee, Initial Inventory (if above \$25,000.00) | \$ | 85.00 |
| (a) For estates valued at \$25,000 or less | \$ | 20.00 |
| (b) For estates valued at \$25,000.00 to \$100,000.00 | \$ | 85.00 |
| (c) For estates valued at \$100,000.00 to \$500,000.00 | \$ | 170.00 |
| (d) For estates valued at more than \$500,000.00 | \$ | 250.00 |
| Delayed birth certificate | \$ | 116.00 |

COUNTY/CIRCUIT COURT CRIMINAL DEPARTMENT

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|---|----|------|
| For making transcripts of record in appellate of other proceedings, per page | \$ | 1.00 |
| For approving bond | \$ | 8.50 |
| For providing a transcript of any one individual's driving history record for the past 3 years (first page) | \$ | 2.10 |
| Each additional page | \$ | 1.00 |
| For providing a transcript of any one individual's driving history record for the past 7 years or longer (first page) | \$ | 3.10 |
| Each additional page | \$ | 1.00 |
| For providing a certified letter of any one's driver history (clearance letter) including signing and sealing | \$ | 7.00 |
| Case history prints per page | \$ | 1.00 |
| For certification of a printout | \$ | 2.00 |

TRAFFIC

Driver's License Reinstatement
D6 Clearance Form

\$ 47.50
\$ 7.00