House Engrossed

FILED

JANICE K. BREWER
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 3

HOUSE BILL 2128

AN ACT

AMENDING SECTION 22-281, ARIZONA REVISED STATUTES; RELATING TO JUSTICE COURT FEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 22-281, Arizona Revised Statutes, is amended to read:

22-281. Fees and deposits

A. Justices of the peace shall receive fees established and classified as follows in civil actions:

Class	Description	Fee
A	Initial case filing fee	
	Civil filing fees	$ 45.00
B	Subsequent case filing fee	
	Civil filing fees - defendant	$ 24.00
C	Initial case filing fee	
	Forcible entry and detainer filings	$ 21.00
	Small claims filing	16.00
D	Subsequent case filing fee	
	Small claims answer	$ 9.00
	Forcible entry and detainer filings - defendant	11.00
E	Minimum clerk fee	
	Document and transcript transfer on appeal	$ 17.00
	Certification of any documents	17.00
	Issuance of writs	17.00
	Filing any paper or performing any act for which a fee is not specifically prescribed	17.00
	Filing power of attorney	17.00
	Certificate of correctness of copy of record	17.00
	Each certificate of clerk to any matter	17.00
	Subpoena (civil)	17.00
	Research in locating a document	17.00
	Exemplification	17.00
	Seal a court file	17.00
	Reopen a sealed court file	17.00
	Retrieve bank records	17.00
	Payment history report	17.00
	Audiotape copy record duplication	17.00
F	Per page fee	
	Copies of any documents per page	$ 0.50
G	Special fees	
	Small claims service by mail	$ ~~3.00~~ 8.00

B. This section does not deprive the parties to the action of the privilege of depositing amounts with the justice, in addition to those set forth in this section, for use in connection with the payment of constable's and sheriff's fees for service of process, levying of writs and other services for which fees are otherwise provided by law.

C. Excluding the monies that are kept by the court pursuant to subsection D of this section, justices of the peace shall transmit monthly

to the county treasurer all monies collected pursuant to subsection A of this section. The county treasurer shall distribute or deposit all of the monies received pursuant to this subsection as follows:

1. 18.39 per cent to the state treasurer for deposit in the judicial collection enhancement fund established by section 12-113.

2. 2.42 per cent to the state treasurer for deposit in the alternative dispute resolution fund established by section 12-135.

3. 71.15 per cent to the county general fund.

D. 8.04 per cent of the monies transmitted pursuant to subsection C of this section shall be kept and used by the court collecting the fees in the same manner as the seven dollars of the time payment fee prescribed by section 12-116, subsection B.

APPROVED BY THE GOVERNOR FEBRUARY 13, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE FEBRUARY 13, 2004.