

House Bill 1649

By: Representatives Ragas of the 64th, Mobley of the 69th, Benfield of the 67th, Mangham of the 75th, Maddox of the 72nd and others

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the State Court of DeKalb County, formerly known as the Civil
2 and Criminal Court of DeKalb County, approved February 14, 1951 (Ga. L. 1951, p. 2401),
3 as amended, particularly by an Act approved April 12, 1982 (Ga. L. 1982, p. 4162), an Act
4 approved March 22, 1989 (Ga. L. 1989, p. 4090), and by an Act approved April 4, 1991 (Ga.
5 L. 1991, p. 4323), so as to change certain fees; to provide for certain fees; to provide for
6 related matters; to provide an effective date; to repeal conflicting laws; and for other
7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 An Act creating the State Court of DeKalb County, formerly known as the Civil and
11 Criminal Court of DeKalb County, approved February 14, 1951 (Ga. L. 1951, p. 2401), as
12 amended, particularly by an Act approved April 12, 1982 (Ga. L. 1982, p. 4162), an Act
13 approved March 22, 1989 (Ga. L. 1989, p. 4090), and by an Act approved April 4, 1991 (Ga.
14 L. 1991, p. 4323), is amended by striking in its entirety Section 11B and substituting in lieu
15 thereof a new Section 11B to read as follows:

16 "SECTION 11B.

17 Each party filing a suit or proceeding of any character in the state court, for the services
18 rendered by the clerk, shall deposit with the clerk of said court, except as provided for in
19 this section, the costs, which includes the first judgment, fi. fa., and recording of same, for
20 all suits or proceedings of any character, irrespective of how they shall be terminated,
21 which shall be \$58.00, plus all applicable fees. The sums provided in this section are
22 exclusive of cost for service of process or other additional sums as may be provided by law.
23 Cost for filing dispossessory and distress warrants shall be \$50.00, plus all applicable fees,
24 plus \$10.00 for each defendant more than one which includes service. Each time a case is
25 checked or continued and is stipulated back to the trial calendar, there shall be a fee of

1 \$10.00 as a stipulation fee, and the same shall be charged as part of the cost. Each time the
 2 case is stipulated to the calendar, said \$10.00 is to accompany the letter of stipulation and
 3 in addition thereto shall be a certificate of service attached to said letter notifying the
 4 opposing party or the attorney of record.

5 In addition to the foregoing costs, the clerk of said court shall charge and collect costs as
 6 follows:

7	For filing and docketing each third-party	
8	complaint	\$10.00
9	For filing all motions subsequent to any	
10	complaint in any case	1.00
11	For filing and docketing scire facias	
12	each defendant	10.00
13	For verdict rendered more than one	
14	and docketing same	1.00
15	For each judgment more than one and	
16	docketing same	8.00
17	For affidavit to obtain alias fi fa	
18	and issuing same	8.00
19	For affidavit where no cause is pending	5.00
20	For certified copy	5.00
21	For taking and approving supersedeas bond	5.00
22	For answering each writ of certiorari	3.00
23	For filing and docketing each appeal, civil or	
24	criminal, and such fee shall be paid at the	
25	time of filing the notice of appeal	25.00
26	For preparation of record and transcript to the	
27	Supreme Court and Court of Appeals,	
28	per page	1.50
29	Where a transcript of the evidence and proceedings is	
30	filed with the clerk and does not require recopying, the	
31	clerk shall not receive the fee herein prescribed with	
32	respect to such transcript but shall receive, for filing	
33	and transmission of such transcript, a fee of	5.00
34	For entering judgment or remittitur from	
35	Supreme Court or Court of Appeals	3.00
36	For certification or exemplification of record,	
37	including certificates and seals	5.00

1	For clerk's certificate	1.00
2	For court seal	1.00
3	For issuing subpoena, signed and sealed	1.00
4	For filing and docketing each	
5	writ of possession	10.00
6	For filing and docketing each	
7	additional summons of garnishment	10.00
8	For filing and docketing each traverse to	
9	answer of garnishment	10.00
10	For preparing Department of Public	
11	Safety Letter	3.00
12	For providing uncertified computer or photocopies	
13	of documents, per page50
14	For uncertified copies, if transmitted telephonically or	
15	electronically, first page	2.50
16	For each page, after the first	1.00

17 **MARSHAL**

18	To provide for the services of the marshal, the following fees shall be charged:	
19	For serving copy of process or other pleading and	
20	returning original, per copy	\$25.00
21	For serving action from another county, including	
22	second original	25.00
23	For backing order	13.00
24	For serving subpoena	25.00
25	For each levy or writ of fieri facias	25.00
26	For settling fi fa before sale of property	13.00
27	For search and return of nulla bona	13.00
28	For serving summons of garnishment or	
29	plaintiff's traverse of garnishee	25.00
30	For each arrest in civil cases	25.00
31	For taking and approving bond in any civil case,	
32	including forthcoming bond	13.00
33	Commission on sales of property:	
34	On sums of \$50.00 or less	8%
35	On excess above \$50.00 up to \$550.00	6%

