

Justice Court Civil Filing Fees
Prepared by the Office of Court Administration (OCA)
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I. Statewide Required Filing Fees (Set Amounts)

(1) BASIC FILING FEE

Source: Local Government Code § 118.121

Amount: \$25.00

Statewide: Yes

Applicability: All new civil suits and all counterclaims, cross-actions, third party actions and interventions.

Local Option: No – Fee is mandatory

Destination: County

(2) STATEWIDE E-FILING FEE

Source: Government Code § 51.851(c)

Amount: \$10.00

Statewide: Yes

Applicability: All new civil suits and all civil actions requiring a filing fee such as counterclaims, cross-actions, interventions, interpleaders and third-party actions

SPECIAL NOTE: The Court may waive this fee if the court determines the filer is indigent.

Local Option: No – Fee is mandatory

Destination: Statewide Electronic Filing System Fund

(3) INDIGENT LEGAL SERVICES FEE

Source: Local Government Code § 133.153

Amount: \$6.00

Statewide: Yes

Applicability: All new civil suits and all civil actions requiring a filing fee such as counterclaims, cross-actions, interventions, interpleaders and third-party actions

Local Option: No – Fee is mandatory

Destination: (a) 95% to State Judicial Fund – Basic Civil Legal Services Account
(b) 5% to County as a “service fee” for collecting the fee
(c) County may retain any interest earned on fee

(4) JUDICIAL AND COURT PERSONNEL TRAINING FEE

Source: Government Code § 51.971

Amount: \$5.00

Statewide: Yes

Applicability: (a) On the filing of any civil action or proceeding requiring a filing fee, including an appeal, and on the filing of any counterclaim, cross-action, intervention, interpleader, or third party action requiring a filing fee.

(b) The fee does not apply to the following:

- fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005)
- actions or proceedings with no filing fees
 - motion for/findings on judicial review of lien/claim documentation (Gov’t Code §§ 51.902, 51.903)
 - expunctions suits filed within 30 days of acquittal (CCP Art. 102.006(b) *the fee is waived*)
 - minor’s application for order authorizing abortion w/o parental notice (Family Code § 33.003(n))
- certain guardianship filings
 - inventory and appraisalment – delayed
 - annual or final account
 - annual or final report of the guardianship of a person
 - lengthy delayed probate document
- certain actions in family-law cases (*see* Family Code § 110.002)
 - contempt action (motion for contempt)
 - motion for enforcement
 - motion for modification (motion to modify) (suit for modification)
 - motion to revoke a stay of license suspension
 - motion to transfer
 - notice of application for judicial writ of income withholding
 - petition for license suspension
- application for the sale of property
- claims against the estate

Local Option: No – Fee is mandatory

Destination: (a) 100% to the state for the Judicial and Court Personnel Training Fund
(b) A county may not retain a service fee on the collection of the fee
(c) A court may waive the fee if it determines that a person is indigent

II. Statewide Optional Filing Fees (Varying Amounts)

(5) ALTERNATIVE DISPUTE RESOLUTION (ADR) FEE

Source: Civil Practice & Remedies Code § 152.005

Amount: \$0.01 to \$5.00

Statewide: Yes

Applicability: New civil suits except:
(a) delinquent tax suits
(b) eviction proceedings, including a forcible detainer, a forcible entry and detainer, and a writ of re-entry

Local Option: Yes –
(a) Fee can be collected only if Commissioners Court establishes a County Alternative Dispute Resolution System.
(b) Commissioners Court “may” set fee.
(c) Commissioners Court sets fee amount

Destination: County Alternative Dispute Resolution System Fund

III. Required Filing Fees in Certain Counties (Set Amounts)

(6) COMAL COUNTY JUVENILE PLACEMENT FEE

Source: Human Resources Code § 152.0522

Amount: \$1.50

Statewide: No – Only in Comal County

Applicability: All new civil suits

Local Option: No – Fee is mandatory

Destination: County Juvenile Placement Special Fund

IV. Optional Filing Fees in Certain Counties (Varying Amounts)

(7) DALLAS COUNTY CIVIL COURT FACILITY FEE

Source: Government Code § 51.705

Amount: \$0.01 to \$15.00

Statewide: No – Only in Dallas County

Applicability: All new civil suits

Local Option: (a) Yes – Commissioners Court must adopt resolution authorizing this fee
(b) Fee is abolished if Commissioners Court rescinds resolution
(c) Fee is automatically abolished as of July 1, 2030

Destination: Special County fund dedicated to construction, renovation and improvement of Dallas County civil court facilities

(8) HAYS COUNTY CIVIL COURT FACILITY FEE

Source: Government Code § 51.707

Amount: \$0.01 to \$15.00

Statewide: No – Only in Hays County

Applicability: All new civil suits

Local Option: (a) Yes – Commissioners Court must adopt resolution authorizing this fee
(b) Fee is abolished if Commissioners Court rescinds resolution
(c) Fee is automatically abolished as of July 1, 2022

Destination: Special County fund dedicated to the construction, renovation and improvement of the Hays County civil court facilities

(9) ROCKWALL COUNTY COURT FACILITY FEE

Source: Government Code § 51.709 (SB 1827 – 83rd Legislature)

Amount: \$0.01 to \$15.00

Statewide: No – Only in Rockwall County

Applicability: All new civil suits

Local Option: (a) Yes – Commissioners Court must adopt resolution authorizing this fee
(b) Fee is abolished if Commissioners Court rescinds resolution
(c) Fee is automatically abolished as of July 1, 2025

Destination: Special County fund dedicated to the construction, renovation and improvement of the Rockwall County court facilities

(10) WILLACY COUNTY AND STARR COUNTY CIVIL COURT FACILITY FEE

Source: Government Code § 51.713

Amount: \$0.01 to \$20.00

Statewide: No – Only in Willacy and Starr Counties

Applicability: All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fees (*see* District Court Civil Suits and Actions – Part III)

Local Option: (a) Yes – Commissioners Court must adopt resolution authorizing this fee
(b) Fee is abolished if Commissioners Court rescinds resolution
(c) Fee is automatically abolished on October 1, 2045, unless the Commissioners Court has already rescinded it

Destination: Special County fund dedicated to the construction, renovation and improvement of the Willacy or Starr County civil court facilities

V. Statewide Required Fee (Certain Cases)

(11) EXPUNCTION FILING FEE

Source: Code of Criminal Procedure § 102.006(a-1); Gov't Code 103.02101

Amount: \$100.00 (*This fee is in addition to any other fees required by other law.*)

Statewide: Yes

Applicability: Expunction cases filed in justice and municipal courts. However, the fee must be waived if the petitioner was acquitted other than an acquittal under Art. 55.01(c), CCP, and filed the petition for the expunction no later than 30 days after that acquittal, or if the petitioner is entitled to an expunction after successful completion of a veterans treatment court program.

Local Option: No

Destination: 100% of the fee is retained by the county or municipality to defray the cost of notifying state agencies of orders of expungement.

(12) NONDISCLOSURE FEE FOR ORDERS OF NONDISCLOSURE UNDER §411.072 FOR CERTAIN NONVIOLENT MISDEMEANORS

Source: Government Code § 411.072(c)

Amount: \$28.00

Statewide: Yes

Applicability: If the court is required to issue an order of nondisclosure pursuant to § 411.072(b), Government Code, the petitioner (defendant) must pay this fee before the court issues the order.

A defendant is not required to file a petition for this type of order of nondisclosure, so a clerk should not charge fees that generally apply upon the filing of a civil petition.¹ OCA has provided a model letter for defendants to submit to the court. This letter is not a petition and should be used only if the court has not already issued the order.

Local Option: Fee is mandatory

Destination: 100% to the State for deposit in the State's General Revenue Fund.

¹ Compare the language of § 411.072(b) with the language of §§ 411.0725(b), 411.0727(b), 411.0728(b), 411.073(b), 411.0731(b), 411.0735(b), and 411.0736(b). Unlike these other sections, Section 411.072(b) does not contain a sentence with language the same as or similar to, "the person may petition the court" or "the person is entitled to file with the court a petition."