

Justice Court Civil Suits and Actions

Prepared by the Office of Court Administration (OCA)

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I.1. Civil Suit (General)

Fee Type	Fee
<i>I. Statewide Required Filing Fees (Set Amounts)</i>	
(1) Basic Filing Fee	\$25.00
(2) Statewide E-Filing Fee	10.00
(3) Indigent Legal Services Fee	6.00
(4) Judicial and Court Personnel Training Fee	5.00
<i>II. Statewide Optional Filing Fees (Varying Amounts)</i>	
(5) Alternative Dispute Resolution (ADR) Fee	0.01 to 5.00
<i>III. Required Filing Fees in Certain Counties (Set Amounts)</i>	
(6) Comal County Juvenile Placement Fee	1.50
<i>IV. Optional Filing Fees in Certain Counties (Varying Amounts)</i>	
(7) Dallas County Civil Court Facility Fee	0.01 to 15.00
(8) Hays County Civil Court Facility Fee	0.01 to 15.00
(9) Rockwall County Civil Court Facility Fee	0.01 to 15.00
(10) Willacy County and Starr County Civil Court Facility Fee	0.01 to 20.00
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Total Filing Fees	≥ \$ 46.00¹

Special Notes: (a) This category includes all civil suits not otherwise listed in Category I. (b) The court may waive Fee 2 if the plaintiff is indigent.

¹ This total includes the statewide required filing fee (set amounts). Other fees and fees for services performed may apply.

I.2. Delinquent Tax Suit

Fee Type	Fee
<i>I. Statewide Required Filing Fees (Set Amounts)</i>	
(1) Basic Filing Fee	\$25.00
(2) Statewide E-Filing Fee	10.00
(3) Indigent Legal Services Fee	6.00
(4) Judicial and Court Personnel Training Fee	5.00
<i>III. Required Filing Fees in Certain Counties (Set Amounts)</i>	
(5) Comal County Juvenile Placement Fee	1.50
<i>IV. Optional Filing Fees in Certain Counties (Varying Amounts)</i>	
(6) Dallas County Civil Court Facility Fee	0.01 to 15.00
(7) Hays County Civil Court Facility Fee	0.01 to 15.00
(8) Rockwall County Civil Court Facility Fee	0.01 to 15.00
(10) Willacy County and Starr County Civil Court Facility Fee	0.01 to 20.00
Total Filing Fees	
	≥ \$46.00²

Special Notes: (a) If the plaintiff in a delinquent tax suit is “a taxing unit” then the plaintiff does not have to pay any filing fees. Texas Tax Code § 33.49. A “taxing unit” is defined in Section 1.04 of the Tax Code to mean any political unit of the State that is authorized to impose, and is imposing, ad valorem property taxes (*e.g.*, counties, cities and school districts). Because delinquent tax suits are always brought by taxing units, plaintiffs never pay filing fees in delinquent tax suits. But the calculation of filing fees in delinquent tax suits is not an empty exercise because often the filing fees are assessed as a court cost against an unsuccessful defendant.

(b) An “Application for Tax Warrant” is an independent civil suit brought pursuant to Sections 33.21—33.23 of the Texas Tax Code. The law is not entirely clear as to whether such a suit is technically a delinquent tax suit. For purposes of filing fees, the most common (and probably best) practice is to treat applications for tax warrants as delinquent tax suits.

(c) The court may waive Fee 2 if the plaintiff is indigent.

² This total includes the statewide required filing fee (set amounts). Other fees and fees for services performed may apply.

I.3. Eviction Proceeding

Fee Type	Fee
<i>I. Statewide Required Filing Fees (Set Amounts)</i>	
(1) Basic Filing Fee	\$25.00
(2) Statewide E-Filing Fee	10.00
(3) Indigent Legal Services Fee	6.00
(4) Judicial and Court Personnel Training Fee	5.00
<i>III. Required Filing Fees in Certain Counties (Set Amounts)</i>	
(5) Comal County Juvenile Placement Fee	1.50
<i>IV. Optional Filing Fees in Certain Counties (Varying Amounts)</i>	
(6) Dallas County Civil Court Facility Fee	0.01 to 15.00
(7) Hays County Civil Court Facility Fee	0.01 to 15.00
(8) Rockwall County Civil Court Facility Fee	0.01 to 15.00
(10) Willacy County and Starr County Civil Court Facility Fee	0.01 to 20.00
Total Filing Fees	≥ \$46.00³

Special Notes: (a) This category includes forcible detainers, forcible entry and detainers, and writs of re-entry. (b) The court may waive Fee 2 if the plaintiff is indigent.

³ This total includes the statewide required filing fee (set amounts). Other fees and fees for services performed may apply.

I.4. Foreign Judgment

Texas has adopted the Uniform Enforcement of Judgments Act (UEFJA) which provides for the enforcement of a judgment of another state (known as a foreign judgment) simply by filing the foreign judgment with the clerk. Civil Practice & Remedies Code, Sections 35.002, 35.003. A filed foreign judgment has the same effect as a judgment of a Texas court. Civil Practice & Remedies Code, Section 35.003. A person filing a foreign judgment shall pay to the clerk the same amount as otherwise provided by law for filing suit. Civil Practice & Remedies Code, Section 35.007.

I.5. Transfer of Suit from Other County

The fees for filing a civil suit transferred from another county are the same fees that would be charged for the initial filing of the suit. (Texas Rules of Civil Procedure, Rule 89)

I.6. Court Cost in Truancy Court Proceeding

Filing fees may not be charged for the filing of the state's petition. *See* Family Code § 65.054.

But, under certain conditions, the court must impose a \$50.00 court cost. *See* Special Note (1) below.

Special Notes:

(1) Before imposing the \$50 court cost, the court must provide a reasonable opportunity for the child, parent, or other person responsible for the child's support to be heard and find that the child, parent, or other person is financially able to pay the court cost. The court's order to pay the court cost is not effective unless the order is reduced to writing and signed by the judge. (Family Code § 65.107)

(2) The court cost must be deposited in a special account to be used only to offset the cost of operating the truancy court.

(3) No other cost may be imposed.

I.7. Expunctions

Fee Type	Fee
<i>I. Statewide Required Filing Fees (Set Amounts)</i>	
(1) Basic Filing Fee	\$25.00
(2) Statewide E-Filing Fee	10.00
(3) Indigent Legal Services Fee	6.00
(4) Judicial and Court Personnel Training Fee	5.00
<i>II. Statewide Optional Filing Fees (Varying Amounts)</i>	
(5) Alternative Dispute Resolution (ADR) Fee	0.01 to 5.00
<i>III. Required Filing Fees in Certain Counties (Set Amounts)</i>	
(6) Comal County Juvenile Placement Fee	1.50
<i>IV. Optional Filing Fees in Certain Counties (Varying Amounts)</i>	
(7) Dallas County Civil Court Facility Fee	0.01 to 15.00
(8) Hays County Civil Court Facility Fee	0.01 to 15.00
(9) Rockwall County Civil Court Facility Fee	0.01 to 15.00
(10) Willacy County and Starr County Civil Court Facility Fee	0.01 to 20.00
<i>V. Statewide Required Fee (Certain Cases)</i>	
(11) Expunction Filing Fee	\$100.00
Total Filing Fees	≥ \$46.00⁴

Special Notes: (a) The court may waive Fee 2 may if the petitioner is indigent. (b) The court must waive Fee 11 if the petitioner was acquitted, other than an acquittal under Art. 55.01(c), CCP, and filed his or her petition no later than 30 days after that acquittal, or if the petitioner is entitled to the expunction because of the successful completion of a veterans treatment court program.

⁴ This total includes the statewide required filing fee (set amounts). Other fees and fees for services performed may apply.

I.8. Nondisclosures Issued under Section 411.072

The fee for an order of nondisclosure under § 411.072, Gov't Code, is \$28.

Special Notes: (a) Section 411.072 does not require a defendant to file a petition for an order of nondisclosure, so a clerk should not charge fees that generally apply upon the filing of a civil petition. 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), Government Code. Unlike these other sections, § 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.” (b) The defendant must pay the fee before the court issues the order.

II.1. All Actions

Fee Type	Fee
<i>I. Statewide Required Filing Fees (Set Amounts)</i>	
(1) Basic Filing Fee	\$25.00
(2) Statewide E-Filing Fee	10.00
(3) Indigent Legal Services Fee	6.00
(4) Judicial and Court Personnel Training Fee	5.00
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Total Filing Fees	\$46.00

Special Notes: (a) This category includes counterclaims, cross-actions, third-party actions, interpleaders, interventions, and all other processes and procedures in a civil matter in a justice court or small claims court. *See* §§ 118.121, 118.122, LGC. (b) The fee is paid by the plaintiff or the party initiating the action, counterclaim, cross action, third party action, or intervention at the time the applicable action or counterclaim is initiated. (c) The fee is paid only one time for each of those actions or counterclaims. (d) The court may waive Fee 2 if the plaintiff is indigent.