

District Clerk Civil Filing Fees

Prepared by the Office of Court Administration (OCA)

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I. Statewide Required Filing Fees (Set Amounts)

(1) CLERK’S BASIC FILING FEE (NEW CIVIL SUITS)

Source: Government Code § 51.317(b)(1)

Amount: Depends on number of plaintiffs

- (a) 10 or fewer plaintiffs.....\$50.00
- (b) 11 to 25 plaintiffs\$75.00
- (c) 26 to 100 plaintiffs\$100.00
- (d) 101 to 500 plaintiffs\$125.00
- (e) 501 to 1,000 plaintiffs\$150.00
- (f) more than 1,000 plaintiffs\$200.00

Statewide: Yes

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: No – Fee is mandatory

Destination: County General Fund

(2) CLERK’S BASIC FILING FEE (ACTIONS WITHIN EXISTING CIVIL SUITS)

Source: Government Code § 51.317(b)(2)

Amount: \$15.00

Statewide: Yes

Applicability The following actions in all civil suits except fraudulent lien suits (*see* Civil Practice and Remedies Code §12.005), suits with no filing fees (*see* District Court Civil Suits and Actions – Part III) and contempt actions in SAPCR's (*see* Texas Family Code § 110.002):

- (a) contempt actions (motions for contempt)
- (b) counterclaims
- (c) cross-actions (cross-claims)
- (d) interventions
- (e) motions for new trial
- (f) third-party petitions

Local Option: No – Fee is mandatory

Destination: County General Fund

(3) STATE CONSOLIDATED FEE

Source: Local Government Code § 133.151

Amount: (a) Non-Family-Law Civil Cases\$50.00
(b) Family-Law Cases\$45.00

Statewide: Yes

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: No – Fee is mandatory

Destination: (a) State Judicial Fund
(b) State Judicial Fund --Basic Civil Legal Services Account
(c) County may retain any interest earned on fee

(4) INDIGENT LEGAL SERVICES FEE

Source: Local Government Code § 133.152 (*see also* Op. Tex. Att’y Gen. No. GA-0491 (2006))

Amount: (a) Non-Family-Law Civil Cases\$10.00
(b) Family-Law Cases\$5.00

Statewide: Yes

Applicability: (a) 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)
(b) Any other civil action requiring a filing fee except the following 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 withholding
- petition for license suspension

Local Option: No – Fee is mandatory

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

(5) JUDICIAL SUPPORT FEE

Source: Local Government Code § 133.154

Amount: \$42.00

Statewide: Yes

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: No – Fee is mandatory

Destination: (a) State Judicial Fund
(b) County may retain any interest earned on fee

(6) RECORDS MANAGEMENT FEE

Source: Government Code § 51.317(b)(4), (c)

Amount: \$10.00

Statewide: Yes

Applicability: (a) 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)

(b) All civil actions other than:

(1) the following 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 withholding
- petition for license suspension

(2) administrative writ of income withholding (*see* Family Code §§ 231.202, 231.204)

Local Option: No – Fee is mandatory

Destination: (a) \$5 to County Records Management and Preservation Fund
(b) \$5 to District Clerk Records Management and Preservation Fund

(7) CENTRAL ADOPTION REGISTRY FEE

Source: Family Code § 108.006

Amount: \$15.00

Statewide: Yes

Applicability: All new suits requesting adoption of a child

Local Option: No – Fee is mandatory

Destination: Texas Department of State Health Services (Texas Vital Statistics) – special fund to operate central adoption file and central adoption registry

(8) FRAUDULENT LIEN SUIT FILING FEE

Source: Civil Practice & Remedies Code § 12.005

Amount: \$15.00

Statewide: Yes

Applicability: (a) New fraudulent lien suits
(b) This \$15 fee is the *only* fee that may be charged in these suits

Local Option: No – Fee is mandatory

Destination: County General Fund

(9) PETITION FOR NON-DISCLOSURE FEE

Source: Government Code § 411.081(d)-(h)

Amount: \$28.00

Statewide: Yes

Applicability: New petitions for non-disclosure

Local Option: No – Fee is mandatory

Destination: State Comptroller – State General Revenue Fund

(10) TRANSFER FEE

Source: Family Code § 110.005

Amount: \$45.00

Statewide: Yes

Applicability: All SAPCR's transferred from other counties

Local Option: No – Fee is mandatory

Destination: County General Fund

II. Statewide Required Filing Fees (Varying Amounts)

(11) FAMILY PROTECTION FEE

Source: Government Code § 51.961

Amount: \$0.01 to \$15.00

Statewide: Yes

Applicability: (a) All new suits for dissolution of marriage (*i.e.*, divorce suits, annulment suits, suits to declare a marriage void)
(b) All plaintiffs except those persons protected by an order issued under:
(1) Subtitle B, Title 4, Family Code (protective order)
(2) Article 17.292, Code of Criminal Procedure (magistrate's order for emergency protection)

Local Option: No – Fee is mandatory but Commissioners Court sets fee amount

Destination: County Family Protection Account

(12) LAW LIBRARY FEE

Source: Local Government Code § 323.023

Amount: \$0.01 to \$35.00

Statewide: Yes

Applicability: (a) All new civil suits except delinquent tax suits, 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)
(b) All plaintiffs except clerk's county

Local Option: Fee is mandatory but Commissioners Court sets fee amount

Destination: County Law Library Fund

(13) COURT RECORDS PRESERVATION FEE

Source: Government Code § 51.708

Amount: \$0.01 to \$10.00

Statewide: Yes

Applicability: (a) 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: Fee is mandatory but Commissioners Court (apparently)* sets fee amount
*Statute does not say who is to set the fee.

Destination: County Court Record Preservation Account

III. Statewide Optional Filing Fees (Set Amounts)

(14) CLERK’S BASIC FILING FEE (ACTIONS WITHIN SAPCR’S)

Source: Family Code § 110.002

Amount: \$15.00

Statewide: Yes

Applicability: (a) The following actions in SAPCR’s:

- 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 withholding
- petition for license suspension

Local Option: Yes – Clerk “may” collect this fee

Destination: County General Fund

IV. Statewide Optional Filing Fees (Varying Amounts)

(15) COURTHOUSE SECURITY FEE

Source: Local Government Code § 291.008

Amount: \$0.01 to \$5.00

Statewide: Yes

Applicability: (a) 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)
(b) All plaintiffs except clerk’s county

Local Option: (a) Yes – Commissioners Court “may” set fee
(b) Commissioners Court sets fee amount

Destination: County Courthouse Security Fund

(16) ALTERNATIVE DISPUTE RESOLUTION (ADR) FEE

Source: Civil Practice & Remedies Code § 152.004

Amount: \$0.01 to \$15.00

Statewide: Yes

Applicability: New civil suits except:
(a) delinquent tax suits
(b) condemnation proceedings
(c) fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005)
(d) suits with no filing fees (*see* District Court Civil Suits and Actions – Part III)

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

(17) DRO INITIAL OPERATIONS FEE

Source: Family Code §§ 110.006, 203.005

Amount: \$0.01 to \$15.00

Statewide: No -- Only in counties that have established a Domestic Relations Office

Applicability: All new SAPCR's and all motions to modify and motions to enforce within SAPCR's

Local Option: Yes –

- (a) Fee can be collected only if Commissioners Court establishes a County Domestic Relations Office.
- (b) “Administering Entity” (either Commissioners Court or Juvenile Board) “may” authorize collection of fee.
- (c) Administering entity sets fee amount.
- (d) Administering entity may provide for certain fee exemptions.

Destination: Either of the following two funds:

- (a) County General Fund
- (b) County Domestic Relations Office Fund

(18) DRO INITIAL CHILD SUPPORT SERVICE FEE

Source: Family Code § 203.005

Amount: \$0.01 to \$36.00

Statewide: Yes

Applicability: All new SAPCR’s

Local Option: Yes –

- (a) Fee can be collected only if Commissioners Court establishes a County Domestic Relations Office and the County enters into a “child support cooperative agreement” with the Title IV-D Agency.”
- (b) “Administering Entity” (either Commissioners Court or Juvenile Board) “may” authorize collection of fee.
- (c) Administering Entity sets fee amount.
- (d) Administering Entity may provide for certain fee exemptions

Destination: Either of the following two funds:

- (a) County General Fund
- (b) County Domestic Relations Office Fund

(19) ADMINISTRATIVE WRIT OF INCOME WITHHOLDING FEE

Source: Family Code § 158.503

Amount: \$0.01 to \$15.00

Statewide: Yes

Applicability: Administrative writs of income withholding filed in SAPCR's

Local Option: Yes –
(a) Clerk “may” charge the fee
(b) Clerk sets fee amount

Destination: County General Fund

(20) DISTRICT CLERK INSURANCE CONTINGENCY FUND FEE

Source: Government Code § 51.302(e)

Amount: \$0.01 to \$5.00

Statewide: Yes

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: Yes –
(a) Fee can be collected only if Commissioners Court establishes a contingency fund to provide insurance for District Clerk
(b) Commissioners Court “may” set this fee
(c) Commissioners Court sets fee amount
(d) Fee may only be collected until total amount of collected fees equals amount required to be in District Clerk Contingency Fund

Destination: District Clerk Insurance Contingency Fund

(21) DISTRICT COURT RECORDS ARCHIVE FEE

Source: Local Government Code §§ 51.305, 51.317

Amount: \$0.01 to \$5.00

Statewide: Yes

Applicability: (a) 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)
(b) All cross-action, counterclaims, interventions, contempt actions, motions for new trial, third-party petitions
(c) Does not apply to a document filed by a state agency

Local Option: (a) Yes – Commissioners Court “may” set fee
(b) Commissioners Court sets fee amount
(c) Fee must be set and itemized in county’s budget and approved in a public meeting

Destination: County District Court Records Technology Fund within the General Fund

(22) MODIFICATIONS TO/TERMINATIONS OF WITHHOLDING

Source: Texas Family Code § 158.403

Amount: \$0.01 to \$15.00

Statewide: Yes

Applicability: All requests for the issuance and delivery to a child support obligor of a modified writ of withholding or notice of termination of withholding.

Local Option: Yes – District Clerk “may” set fee

Destination: County General Fund

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

(23) APPELLATE JUDICIAL SYSTEM FEE

Source: Government Code §§ 22.2041, 22.2071, 22.2081, 22.2091, 22.2101, 22.2131

Amount: \$5.00

Statewide: No – Only in counties in Court of Appeals District 3 (Austin), District 6 (Texarkana), District 7 (Amarillo), District 8 (El Paso), District 9 (Beaumont), and District 12 (Tyler)

Applicability: For Districts 3, 7, and 9

(a) All new civil suits except delinquent tax suits, 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)

(b) All plaintiffs except clerk's county
For Districts 6, 8 and 12

(a) All new civil suits except delinquent tax suits, 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)

(b) All plaintiffs except any governmental entity

Local Option: No – Fee is mandatory

Destination: Appellate Judicial System Fund (for use by the relevant court of appeals)

(24) COMAL COUNTY JUVENILE PLACEMENT FEE

Source: Human Resources Code § 152.0522

Amount: \$4.00

Statewide: No – Only in Comal County

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: No – Fee is mandatory

Destination: County Juvenile Special Placement Fund

(25) MONTAGUE COUNTY ADOPTION SUIT FEE

Source: Human Resources Code § 152.1752

Amount: \$25.00

Statewide: No – Only in Montague County

Applicability: All new adoption suits

Local Option: No – Fee is mandatory

Destination: County Probation Fund (to be used for adoption investigation service)

(26) WICHITA COUNTY ADOPTION SUIT FEE

Source: Human Resources Code § 152.2496

Amount: \$100.00

Statewide: No – Only in Wichita County

Applicability: All new adoption suits

Local Option: No – Fee is mandatory

Destination: County Family Court Services Department (for placement in Adoption Investigation Fund)

(27) GENERAL COURT REPORTER FEE

Source: Government Code § 51.601

Amount: \$15.00

Statewide: No – all counties except counties located on the Texas-Mexico border that contain a municipality with a population of 500,000 or more (i.e., El Paso County)

Applicability: All new civil suits except delinquent tax suits, 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: No – Fee is mandatory (as long as the district court has an official court reporter)

Destination: County Court Reporter Service Fund

(28) EL PASO COUNTY COURT REPORTER FEE

Source: Government Code § 51.601

Amount: \$30.00

Statewide: No – only in counties located on the Texas-Mexico border that contain a municipality with a population of 500,000 or more – currently El Paso County is the only such county

Applicability: All new civil suits except delinquent tax suits, 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: No – Fee is mandatory (as long as the district court has an official court reporter)

Destination: County Court Reporter Service Fund

VI. Required Filing Fees in Certain Counties (Varying Amounts)

(29) APPELLATE JUDICIAL SYSTEM FEE

Source: Government Code §§ 22.2021, 22.2051, 22.2061, 22.2141

Amount: \$0.01 to \$5.00

Statewide: No – Only in counties in Court of Appeals Districts 1 (Houston), 4 (San Antonio), 5 (Dallas), 13 (Corpus Christi), and 14 (Houston)

Applicability: (a) All new civil suits except delinquent tax suits, 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)
(b) All plaintiffs except clerk's county

Local Option: Fee is mandatory but Commissioners Court sets fee amount

Destination: Appellate Judicial System Fund (for use by the relevant Court of Appeals)

(30) ORANGE COUNTY ADOPTION SUIT FEE

Source: Human Resources Code § 152.1874

Amount: Not less than \$25.00

Statewide: No – Only in Orange County

Applicability: All new adoption suits

Local Option: Fee is mandatory but Juvenile Board (apparently) sets fee amount

Destination: County Adoption Investigation Fund

(31) ORANGE COUNTY DIVORCE SUIT FEE

Source: Human Resources Code § 152.1873

Amount: Not less than \$5.00

Statewide: No – Only in Orange County

Applicability: All new divorce suits

Local Option: Fee is mandatory but Juvenile Board (apparently) sets fee amount

Destination: County Child Support Fund

VII. Optional Filing Fees in Certain Counties (Set Amounts)

(32) APPELLATE JUDICIAL SYSTEM FEE

Source: Government Code § 22.2121

Amount: \$5.00

Statewide: No – Only in counties in Court of Appeals District 11 (Eastland)

Applicability: (a) All new civil suits except delinquent tax suits, fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005) and suits with no filing fee (*see* District Court Civil Suits and Actions – Part III)
(b) All plaintiffs except governmental entities

Local Option: Yes – Fee to be established upon request of the chief justice of the 11th Court of Appeals

Destination: Appellate Judicial System Fund (for use by the Eastland Court of Appeals)

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

(33) APPELLATE JUDICIAL SYSTEM FEE

Source: Government Code § 22.2031

Amount: \$0.01 to \$5.00

Statewide: No – Only in counties in Court of Appeals District 2 (Fort Worth)

Applicability: (a) All new civil suits except delinquent tax suits, 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)
(b) All plaintiffs except clerk’s county

Local Option: Yes – Commissioners Court “may” set fee
Commissioners Court sets fee amount

Destination: Appellate Judicial System Fund (for use by the Fort Worth Court of Appeals)

(34) BEXAR COUNTY CIVIL COURT FACILITY FEE

Source: Government Code § 51.706

Amount: \$0.01 to \$15.00

Statewide: No – Only in Bexar County

Applicability: All new civil suits except fraudulent lien suits (*see* Civil Practice & Remedies Code § 12.005); suits with no filing fees (*see* District Court Civil Suits and Actions – Part III); and suits affecting the parent-child relationship for the adoption of a child or the termination of parental rights.

Local Option: (a) Yes – Commissioners Court must adopt resolution authorizing this fee
(b) Earliest date for assessment of fee is October 1, 2009
(c) Fee is abolished if Commissioners Court rescinds resolution
(d) Fee is automatically abolished as of October 1, 2024

Destination: Special account in the county treasure dedicated to the construction, renovation, or improvement of the facilities that house the Bexar County civil and criminal courts.

(35) 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 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 as of July 1, 2016

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

(36) HARRIS COUNTY CHILD SUPPORT DEPARTMENT FEE

Source: Human Resources Code § 152.1074

Amount: \$0.01 to \$12.00

Statewide: No – Only in Harris County

Applicability: All new suits for dissolution of marriage (*i.e.*, divorce suits, annulment suits, suits to declare a marriage void) in which the parties are parents of a “child” as defined by Family Code § 101.003.

Local Option: Yes –
(a) Commissioners Court “may” create a child support department
(b) If child support department is created then Commissioners Court “may” provide for collection of fee
(c) Commissioners Court sets fee amount

Destination: Special County Fund (to be used for the best interests of the parties in the case as determined by the district court)

(37) 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 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 as of July 1, 2022

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

(38) WEBB COUNTY SECURITY FEE

Source: Local Government Code § 291.009

Amount: \$0.01 to \$20.00

Statewide: No – Only in Webb County

Applicability: (a) 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)
(b) All plaintiffs except clerk’s county

Local Option: (a) Yes – Commissioners Court “may” set fee
(b) Commissioners Court sets fee amount

Destination: Special County Fund to be used for courthouse security