

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

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Statewide Required Filing Fees (Set Amounts)

(1) STATE CONSOLIDATED CIVIL FEE

Source: Local Government Code § 133.151(a-1)

Amount: \$21.00

Statewide: Yes

Applicability: All new civil cases and any action other than an original action in the civil case, including an appeal and any counterclaim, cross-action, intervention, contempt action, interpleader, motion for new trial, **(NEW) motion to reinstate**, or third-party action.

Local Option: No – Fee is mandatory.

Destination: The State Comptroller will allocate the fees received to the following accounts in percentages provided by the statute:

- (b) Basic Civil Legal Services Account (28.5714%)
- (c) Statewide Electronic Filing System Fund (47.6191%)
- (d) Judicial And Court Personnel Training Fund (23.8095%)

(2) LOCAL CONSOLIDATED CIVIL FEE

Source: Local Government Code § 135.103

Amount: \$33.00

Statewide: Yes

Applicability: All new civil cases or any action other than an original action in the civil case, including an appeal and any counterclaim, cross-action, intervention, contempt action, interpleader, motion for new trial, **(NEW) motion to reinstate**, or third-party action.

Local Option: No – Fee is mandatory.

Destination: The county treasurer will allocate the fees received to the following funds in accordance with the statute:

- (a) Judicial Court Support Fund (75.7576%)
- (b) County Dispute Resolution Fund (15.1515%)
- (c) Language Access Fund (9.0909%)

(3) 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 the orders of expunction.

(4) FEE FOR (AUTOMATIC) 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 under §411.072(b), Gov't Code, the defendant must pay this fee before the court issues the order.

A defendant is not required to file a petition for an order under §411.072.¹ Therefore, general filing fees are not authorized. OCA has provided a model letter for defendants to submit to the court. The letter is not a petition and should be used only if the court has not performed its duties under §411.072² when required.

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.”

² The court is mandated to take certain actions if a defendant receives a discharge and dismissal under Article 42A.111, Code of Criminal Procedure, of a qualifying case (*See §411.072(a) for what constitutes a qualifying case*).

Local Option: Fee is mandatory

Destination: 100% of the fee is retained by the county³

(5) PETITION FOR NONDISCLOSURE FFE (OTHER THAN UNDER §411.072)

Source: Government Code § 411.0745(b)

Amount: Fee that generally applies to the filing of a civil case (currently, \$54.00)

Statewide: Yes

Applicability: All petitions of nondisclosures, except for orders under §411.072, Gov't Code.

A defendant is not required to file a petition for an order under §411.072, so the consolidated civil fees do not apply when a defendant requests an order under §411.072.⁴

Local Option: Fee is mandatory.

Destination: 100% of the fee is retained by the county⁵

(6) JURY FEE

Source: Texas Rules of Civil Procedure, Rule 504.1

Amount: \$22.00

Statewide: Yes

Applicability: Upon filing of a written jury demand

Local Option: No – Fee is mandatory

Destination: County General Fund

³ Senate Bill 41, 87th Legislature Session, repealed §411.077(a), Gov't Code, which required the clerk to remit the fee to the Comptroller.

⁴ 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 that requires a defendant to, “petition the court” or “to file with the court . . . a petition.”

⁵ Senate Bill 41, 87th Legislature Session, repealed §411.077(a), Gov't Code, which required the clerk to remit the fee to the Comptroller.