

# Supreme Court of Kentucky

## ORDER CORRECTING

2018-08

## ORDER AMENDING RULES OF CIVIL PROCEDURE

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This Court's order 2018-08, entered May 31, 2018, is deleted in its entirety and replaced with the following:

**IT IS HEREBY ORDERED that, effective July 1, 2018, CR 3.02(1) and (2) and CR 3.03(1) and (3) of the Civil Rules of Procedure are hereby amended as follows:**

**I. CR 3.02(1) and (2) Circuit civil fees and costs**

(1) The filing fee for a civil case in Circuit Court (including original actions of administrative agencies, special districts or boards) shall be paid to the circuit clerk at the time the case is filed and shall be \$150.00, except as provided below:

(a) There shall be no filing fee for proceedings for a writ of habeas corpus, proceedings under RCr 11.42, and mental health proceedings under KRS Chapters 202A, 202B and 387.

(b) The filing fee for a petition under KRS 311.732 shall be \$10.00.

(c) Fees required by KRS 453.060 and KRS 27A.630, a court technology fee of \$20.00, and any other required fees (e.g., court facility fee, library fee) shall be paid in addition to the fees required by this rule.

(2) Additional costs, payable to the circuit clerk at the time the service is requested, shall be charged in Circuit Court civil cases as follows:

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| (a) For a jury of six persons   | \$40.00 |
| (b) For a jury of more than six   | \$70.00 |
| (c) Filing a third party complaint  | \$35.00 |
| (d) Preparing a certification, including Act of Congress  | \$ 5.00 |
| (e) Providing a copy of a document (per page)   | \$ .25  |
| (f) Providing a copy of a digital or video recording (per individual tape, disk or other media) | \$25.00 |

(g) Providing a copy of an audio recording (per individual tape, disk or other media)	\$15.00
(h) Issuing writs of attachment, execution orders, and post judgment writs of possession	\$25.00
(i) Issuing garnishments	\$15.00
(j) Publishing a notice	As set by Newspaper
(k) Certified mail fees	As set by Postal Service
(l) Original deposition, including appearance fees and mileage	Assessed as Costs
(m) Library fees	As set by KRS 172.180 and KRS 453.060

**II. CR 3.03(1) and (3) District civil fees and costs**

(1) The filing fee for a civil case in District Court shall be paid to the clerk at the time the case is filed and shall be \$75.00, except as provided below:

(a) Where the case or controversy does not exceed \$2500.00, exclusive of interests and costs (Small Claims Court), the fees shall be \$30.00;

(b) Where the amount in controversy is \$500.00 or less and is not filed in Small Claims Court, the fee shall be \$40.00;

(c) Where the case involves the probate of an estate, the fee shall be \$40.00;

(d) Where the case involves the appointment of guardians, conservators, and curators and is not related to a pending probate proceeding, the fee shall be \$40.00 for each application;

(e) Where the matter involves a name change for a natural person, the fee shall be \$40.00;

(f) Where the case involves a paternity determination under KRS Chapter 406, the fee shall be \$40.00;

(g) Where the case involves mental health proceedings under KRS Chapter 202A, 202B or 387, there shall be no fee except as provided in paragraph (d) of this subsection;

(h) Where the case involves a hearing for a student pursuant to KRS 159.051, there shall be no fee;

(i) Where the case involves filing forcible detainer actions, the fee shall be \$40.00;

(j) Where the case involves filing a petition to marry under KRS Chapter 402, the fee shall be \$20.00;

(k) Where the case involves a petition under KRS 311.732, the fee shall be \$10.00;

(l) Where the case involves a petition under KRS 367.93117 or 367.93121, the fee shall be \$30.00;

(m) Fees required by KRS 453.060 and KRS 27A.630, a court technology fee of \$20.00, and any other required fees (e.g., court facility fee, library fee) shall be paid in addition to the fees required by this rule.

(3) Additional costs, payable to the circuit clerk at the time the service is requested, shall be charged in District Court civil cases as follows:

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| (a) For a jury of six persons including paternity cases  | \$40.00                                  |
| (b) Filing a third party complaint   | \$35.00                                  |
| (c) Preparing a certification, including<br>Act of Congress  | \$ 5.00                                  |
| (d) Providing a copy of a document (per page)  | \$ .25                                   |
| (e) Providing a copy of a digital or video recording<br>(per individual tape, disk or other media) | \$25.00                                  |
| (f) Providing a copy of an audio recording<br>(per individual tape, disk or other media)           | \$15.00                                  |
| (g) Issuing writs of attachment, execution orders,<br>and post judgment writs of possession        | \$25.00                                  |
| (h) Issuing garnishments   | \$15.00                                  |
| (i) Publishing a notice  | As set by Newspaper                      |
| (j) Certified mail fee   | As set by Postal Service                 |
| (k) Original deposition, including appearance<br>fees and mileage                                  | Assessed as Costs                        |
| (l) Library fees   | As set by KRS 172.180<br>and KRS 453.060 |

All sitting. All concur, except Cunningham, J. and Wright, J., would not raise the District Court civil filing fees in CR 3.03(1).

ENTERED: June 22, 2018

  
CHIEF JUSTICE