

Judiciary
Mann, Chair
Delubery
Ritsema

FISCAL NOTE REQUIRED

SENATE FILE 326

BY MANN

REC'D MAR 1 1972

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act increasing district court filing fees and small claims
2 court docket fees and distributing the money to the legal
3 aid society of Polk county and the legal services corpora-
4 tion of Iowa to provide legal assistance in civil matters
5 to low income people.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 331.705, subsection 1, paragraph a,
2 Code 1983, is amended to read as follows:

3 a. For filing a petition, appeal, or writ of error and
4 docketing them, ~~twenty-five~~ thirty-five dollars. Four dollars
5 of the fee shall remain in the county treasury for the use
6 of the county and twenty-one dollars of the fee shall be paid
7 into the state treasury. One dollar of the twenty-one shall
8 be deposited in the judicial retirement fund created in section
9 605A.4 to be used to pay retirement benefits of the judicial
10 retirement system. In Polk county, ten dollars shall be paid
11 to the legal aid society of Polk county. In all other
12 counties, ten dollars shall be paid to the legal services
13 corporation of Iowa. All funds distributed to legal service
14 programs shall be used for the provision of legal assistance
15 in civil matters to eligible clients as determined by those
16 legal service programs. The remainder of the fee shall be
17 deposited in the general fund of the state. In counties
18 having a population of one hundred thousand or over, an
19 additional one dollar shall be charged and collected, to be
20 known as the journal publication fee and used for the purposes
21 provided for in section 618.13.

22 Sec. 2. Section 631.6, Code 1983, is amended to read as
23 follows:

24 631.6 FEES AND COSTS. All fees and costs required to
25 be paid in small claims actions shall be paid in advance,
26 and shall be assessed as costs in the action.

27 1. The docket fee for a small claims action is ~~eight~~
28 thirteen dollars. Other fees imposed for small claims shall
29 be the same as those required in regular actions in district
30 court.

31 2. Postage for the mailing of original notices shall be
32 the actual cost of the postage.

33 3. Fees for personal service by peace officers or other
34 officials of the state shall be the amounts specified by law.

35 4. Fees for service of notice on nonresidents shall be

1 as provided in section 617.3.
 2 All fees and costs collected in small claims actions shall
 3 be remitted to the county treasurer as provided in section
 4 606-16 331.705, subsection 4. The fee specified in subsection
 5 4 shall be remitted to the secretary of state. In Polk county,
 6 five dollars of the docket fee shall be paid to the legal
 7 aid society of Polk county. In all other counties, five
 8 dollars of the docket fee shall be paid to the legal services
 9 corporation of Iowa. These funds shall be used to provide
 10 legal assistance in civil matters to eligible clients as
 11 determined by the legal service programs.

12 EXPLANATION

13 This bill increases the filing fee in state district court
 14 from twenty-five dollars to thirty-five dollars. In small
 15 claims court the docket fee is increased from eight dollars
 16 to thirteen dollars. In Polk county, the additional moneys
 17 will be paid to the legal aid society of Polk county. In
 18 all other counties, the moneys will be paid to the legal
 19 services corporation of Iowa.

20 This bill becomes effective July 1, 1983.

SENATE FILE 326--FISCAL NOTE

REQUESTED BY SENATOR MANN

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 326 pursuant to Joint Rule 17.

Senate File 326 increases the filing fee in state district court from twenty-five to thirty-five dollars. In small claims court the docket fee is increased from eight dollars to thirteen dollars. In Polk County, the additional moneys will be paid to the Legal Aid Society of Polk County. In all other counties the moneys will be paid to the Legal Services Corporation of Iowa.

Fiscal affect: The amount raised by increasing district court filing fees by ten dollars is \$482,960. The amount raised by increasing small claims docket fees by five dollars is \$339,835. This totals \$822,795, all of which must be given to the Polk County Legal Aid Society and the Legal Services Corporation of Iowa.

(1194S, 63-297 KMM)

SOURCE: DISTRICT COURT ADMINISTRATOR

RECEIVED BY THE SECRETARY OF THE SENATE, MARCH 23, 1983

FILED: MARCH 25, 1983

BY LEGISLATIVE FISCAL BUREAU, DENNIS PROUTY

LSB 1194S 70