

COURT COSTS AND FEES CHART

The chart below shows court costs effective as of **December 1, 2011**, and applies to all costs assessed or collected on or after that date, except where otherwise noted, and unless subject to the “waiver exception” of G.S. 7A-304(g), as enacted by S.L. 2011-391, § 63.(b). Costs in other legislation taking effect after December 1, 2011, will be included in a subsequent update to this chart.

Changes to costs and fees for 2011 are shaded and blue. Cost changes for 2011 are tagged according to the dates on which they took effect: **[Jul. 1]**, **[Aug. 1]**, and **[Dec. 1]**. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 31.23.(a)]”) refer to sections of S.L. 2011-145 (House Bill 200).

An additional, summary chart of criminal costs has been attached to this cost chart as “Appendix - Criminal Costs Summary.” The appendix summarizes the basic costs common to all dispositions in a particular trial division. It does **not** include additional cost items that must be assessed depending on individual factors for each case (e.g., FTA fees, supervision fees, jail fees, etc.) or for specific offenses of conviction (e.g. improper equipment or impaired driving); those costs are assessed separately. Neither does it apply to offenses for which the relevant statute assesses specific costs or prohibits the imposition of costs.

CRIMINAL COURT COSTS		AMOUNT
G.S. 7A-304, unless otherwise specified		
DISTRICT COURT (including criminal cases before magistrates)		
<ul style="list-style-type: none"> • General Court of Justice Fee. [Jul. 1] [§ 31.23.(a)] 	General Fund	127.05
	State Bar Legal Aid Account (LAA)	2.45 ¹
		129.50
<ul style="list-style-type: none"> • Facilities Fee. 		12.00
<ul style="list-style-type: none"> • Phone Systems Fee. 		4.00
<ul style="list-style-type: none"> • [Aug. 1] Misdemeanant Confinement Fund Fee. G.S. 7A-304(a)(2b). [§ 31.26.(b)] 		18.00 ²
<ul style="list-style-type: none"> • LEO Retirement/Insurance. 		7.50
<ul style="list-style-type: none"> • LEO Training and Certification Fee. 		2.00
TOTAL		173.00
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).		+10.00 ³
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).		+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.		+5.00
SUPERIOR COURT		
<ul style="list-style-type: none"> • General Court of Justice Fee. [Jul. 1] [§ 31.23.(a)] 	General Fund	152.05
	State Bar Legal Aid Account (LAA)	2.45 ¹
		154.50
<ul style="list-style-type: none"> • Facilities Fee. 		30.00
<ul style="list-style-type: none"> • Phone Systems Fee. 		4.00
<ul style="list-style-type: none"> • LEO Retirement/Insurance. 		7.50
<ul style="list-style-type: none"> • LEO Training and Certification Fee. 		2.00
TOTAL		198.00 ⁴
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).		+10.00 ³
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).		+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.		+5.00

¹ The portion of the General Court of Justice (GCJF) fee allocated to the State Bar’s Legal Aid Account (LAA) has been reduced for 2011. The \$2.05 previously designated for the Bar’s Access to Civil Justice fund, G.S. 7A-474.4, has been reduced to \$1.50. The \$0.95 designated for the Bar’s Domestic Violence Victim Assistance fund, G.S. 7A-474.19, is unchanged. The Bar’s portion of the criminal GCJF is now a total of \$2.45. The remainder of the GCJF is remitted to the General Fund. The NCAOC’s Financial Management System (FMS) will allocate these portions automatically when using the related code sets to assess costs.

² The Misdemeanant Confinement Fund fee applies to crimes and infractions in the District Court **only**, including dispositions before a magistrate. It is **not** assessed cumulatively under G.S. 7A-304(b) for conviction after appeal to Superior Court and does **not** apply to offenses that have specified costs (e.g., front seat belt offenses, G.S. 20-135.2A(e)) or that are exempt from costs altogether (e.g., failure to turn headlights when windshield wipers are on, G.S. 20-129(a)(4)).

³ Like the Misdemeanant Confinement Fund fee, the Chapter 20 fee does not apply to offenses with specified costs or exempt from costs.

⁴ When a person convicted of a felony in Superior Court has made a first appearance in District Court, all Superior Court costs plus the District Court General Court of Justice fee shall be assessed. G.S. 7A-304(a)(4).

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OTHER CRIMINAL FEES	AMOUNT
Appointment of Counsel Fee for Indigent Defendants. G.S. 7A-455.1. ⁵	60.00
Civil Revocation Fee. G.S. 20-16.5(j).	100.00
Community Service Fee. G.S. 15A-1371 and G.S. 143B-262.4.	250.00
Continuous Alcohol Monitoring Fee. G.S. 15A-1374 and G.S. 20-179. ⁶	Up to 1,000.00
Criminal Record Check Fee. G.S. 7A-308(a)(17).	25.00
[Jul. 1] Dispute Resolution Fee. G.S. 7A-38.3D and G.S. 7A-38.7. ⁷ [§ 31.24.(d.)]	60.00 per mediation
Expunction Fee. G.S. 15A-145. ⁸	125.00
Expunction Fee. G.S. 15A-145.2. ⁹	65.00
Failure to Appear Fee. G.S. 7A-304(a)(6). ¹⁰	200.00
Failure to Comply Fee. G.S. 7A-304(a)(6). ¹¹	50.00
House Arrest with Electronic Monitoring Fee (as a condition of probation). G.S. 15A-1343.	90.00
[Dec. 1] Impaired Driving Fee. G.S. 7A-304(a)(10). [S.L. 2011-191, §4.] ¹² Note: Applies only to <u>offenses committed</u> on or after December 1, 2011.	100.00
[Aug. 1] Improper Equipment Fee. G.S. 7A-304(a)(4b). ¹³ [§ 31.26.(c.)]	50.00
Installment Payments Fee. G.S. 7A-304(f). ¹⁴	20.00
[Aug. 1] Jail Fees (pre-conviction). G.S. 7A-313. [§ 31.26.(e.)]	10.00 per 24 hours or fraction thereof
Jail Fees (split sentence served in local facility). G.S. 7A-313 and G.S. 148-29.	40.00 per day

⁵ This fee is due only if the defendant has been convicted. Of the total fee, \$55.00 is credited to the Indigent Persons' Attorney Fee Fund, and \$5.00 is credited to the Court Information Technology Fund.

⁶ This fee is remitted to the system vendor.

⁷ This fee applies to cases resolved through community mediation. S.L. 2011-145 does not change the amount of the fee. Rather, it amends G.S. 7A-38.7 to provide that the fee is to be remitted to the “Mediation Network of North Carolina,” rather than to the State Treasurer. FMS will be updated to specify the new payee on the account for this fee (24315) when producing checks.

⁸ This fee does not apply to a person who files an expunction petition as an indigent. It also does not apply to petitions for expunction under G.S. 15A-146, 15A-147, 15A-148, or 15A-149.

⁹ This fee does not apply to a person who files an expunction petition as an indigent. It also does not apply to petitions for expunction under G.S. 15A-145.3.

¹⁰ This fee applies to a failure to appear after 20 days in any criminal or infraction case, not just motor vehicle cases.

¹¹ This fee applies to a failure to comply after 20 days in any criminal or infraction case, not just motor vehicle cases.

¹² Unlike other costs, which generally are effective based on the date they are assessed or collected, the impaired driving fee is effective only for offenses committed on or after December 1, 2011. It should not be assessed for offenses committed prior to that date, no matter when the case is disposed. Further, the fee applies only to the four offenses sentenced pursuant to G.S. 20-179: impaired driving (G.S. 20-138.1), commercial impaired driving (G.S. 20-138.1), a second or subsequent conviction of operating a commercial vehicle after consuming alcohol (G.S. 20-138.2A), or a second or subsequent conviction of operating a school bus, activity bus, or child care vehicle after consuming alcohol (G.S. 20-138.2B).

¹³ The improper equipment fee applies to any defendant found guilty or responsible for an improper equipment offense in Chapter 20. See “Appendix - Chapter 20 Improper Equipment Offenses” for a list. This fee is charged in addition to the \$10.00 fee of G.S. 7A-304(a)(4a) that applies to all Chapter 20 offenses, and applies to both cases disposed in court and those disposed by waiver (unless subject to the waiver exception of G.S. 7A-304(g) for offenses committed prior to August 1, 2011).

¹⁴ Unless otherwise ordered by the court, this fee must be assessed when a defendant with monetary obligations in a criminal judgment does not make payment in full on the date costs are assessed.



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OTHER CRIMINAL FEES	AMOUNT
Limited Driving Privilege Fee – Petitions under G.S. 20-20.1. <div style="text-align: right;">At Petition/Application: If Issued: (G.S. 20-20.2)</div>	CVD Costs 100.00 (in addition to CVD costs)
Limited Driving Privilege Fee – Other than under G.S. 20-20.1. Note: If there is no underlying conviction in the county, charge civil filing fees as explained on form AOC-CV-350.	If Issued: (G.S. 20-20.2) 100.00
Pretrial Release Service Fee (county). G.S. 7A-304(a)(5). ¹⁵	15.00
Satellite-Based Monitoring Fee for Sex Offenders. G.S. 14-208.45.	90.00
SBI Lab Fee. G.S. 7A-304(a)(7).	600.00
Local Government Lab Fee. G.S. 7A-304(a)(8).	600.00
Seat Belt Violations (adult, front seat) and Motorcycle/Moped Helmet Violations. ¹⁶ G.S. 20-135.2A and G.S. 20-140.4. <div style="text-align: right;">[Jul. 1] General Court of Justice Fee, G.S. 7A-304(a)(4) Phone Systems Fee, G.S. 7A-304(a)(2a) LEO Training and Certification Fee, G.S. 7A-304(a)(3b)</div>	25.50 fine +costs below: 129.50 (Dist.) 154.50 (Sup.) 4.00 2.00
TOTAL	161.00 (Dist.) 186.00 (Sup.)
Seat Belt Violations (adult, rear seat). G.S. 20-135.2A(e).	No Costs 10.00 fine only
Supervision Fee. G.S. 15A-1343, G.S. 15A-1368.4, and G.S. 15A-1374.	40.00 per month
[Jul. 1] Worthless Check Program Fee. G.S. 7A-308(c). ¹⁷ [§ 31.24.(a)]	60.00

¹⁵ The pretrial release services fee of G.S. 7A-304(a)(5) may be assessed upon conviction and remitted to a county providing pretrial release services, if the defendant was accepted and released to the supervision of a county agency. This fee is separate from and in addition to any fees assessed directly by the county under G.S. 7A-313.1 when the defendant has received pretrial electronic monitoring by a county agency. S.L. 2011-378. If the defendant has been accepted and released to the supervision of a county agency that provides pretrial services that include electronic monitoring, the court should assess and receipt **only** the \$15.00 pretrial services fee upon conviction. Any fees assessed for electronic monitoring under G.S. 7A-313.1 must be paid directly to the county by the defendant.

¹⁶ Note that the bill of costs (AOC-CR-381) does not have a pre-printed entry for the costs applicable to offenses for adult front-seat seat belt violations and motorcycle/moped helmet and occupancy violations. Clerks should assess the three costs identified individually on the bill of costs. These three cost items are the **only** costs to be assessed for these offenses. **Do not** assess any of the other costs under G.S. 7A-304(a). However, pursuant to G.S. 7A-304(b), the three costs are cumulative on appeal. *E.g.*, a defendant found responsible for a motorcycle helmet violation in Superior Court after appeal from the District Court would pay a fine of \$25.50 plus \$296.00 in costs: both General Court of Justice fees, plus two assessments (one for District Court and one for Superior Court) of both the Phone Systems Fee and the LEO Training and Certification Fee.

¹⁷ For districts that still operate a worthless check program, the clerk should continue to receipt the worthless check program fee of G.S. 7A-308(c) and remit it to the State. The amount of the fee remains \$60.00. In addition, G.S. 14-107.2 has been amended, effective July 1, 2011, to allow a community mediation center to assist the NCAOC and district attorneys by establishing a worthless check program in districts where such programs have not been established and to charge for its services as part of such a program. However, the fees for such services are not set by statute, and are **not** to be receipted by the clerk. The center must assess its fees directly for users of its services in these cases. Further, the clerk should not assess the criminal mediation fee of G.S. 7A-38.7 when a community mediation center mediates a worthless check matter in the context of a pre-prosecution worthless check program. The clerk may receipt and disburse only the statutory program fee of G.S. 7A-308(c) and restitution to the check taker for the amount of the check plus any service charges and processing fees incurred or charged by the check taker.



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Appendix - Criminal Costs Summary

Effective December 1, 2011

Category ¹	Total Amount	Amounts & Amount Descriptions			
District Court Infraction (IFC/IF_)	178.00	129.50	GCJ	18.00	Misd. Confinement
		12.00	Facilities	5.00	Service
		4.00	Telephone		
		7.50	LEO Retirement		
		2.00	LEO Training		
District Court Infraction Chapter 20 Offense (IFTC/IFT_)	188.00	129.50	GCJ	18.00	Misd. Confinement
		12.00	Facilities	5.00	Service
		4.00	Telephone	10.00	Chapter 20
		7.50	LEO Retirement		
		2.00	LEO Training		
District Court Misdemeanor (CRDC/CRD_)	180.00	129.50	GCJ	18.00	Misd. Confinement
		12.00	Facilities	5.00	Service
		4.00	Telephone	2.00	DNA
		7.50	LEO Retirement		
		2.00	LEO Training		
District Court Misdemeanor Chapter 20 Offense (CRTC/CRT_)	190.00	129.50	GCJ	18.00	Misd. Confinement
		12.00	Facilities	5.00	Service
		4.00	Telephone	2.00	DNA
		7.50	LEO Retirement	10.00	Chapter 20
		2.00	LEO Training		
Superior Court <u>without</u> First Appearance in District Court (CRSC/CRS_)	205.00	154.50	GCJ	5.00	Service
		30.00	Facilities	2.00	DNA
		4.00	Telephone		
		7.50	LEO Retirement		
		2.00	LEO Training		
Superior Court <u>without</u> First Appearance in District Court Chapter 20 Offense	215.00	154.50	GCJ	5.00	Service
		30.00	Facilities	2.00	DNA
		4.00	Telephone	10.00	Chapter 20
		7.50	LEO Retirement		
		2.00	LEO Training		
Superior Court <u>with</u> First Appearance in District Court (CRDS)	334.50	154.50	GCJ (Sup)	5.00	Service
		129.50	GCJ (Dist)	2.00	DNA
		30.00	Facilities		
		4.00	Telephone		
		7.50	LEO Retirement		
		2.00	LEO Training		
Superior Court <u>with</u> First Appearance in District Court Chapter 20 Offense	344.50	154.50	GCJ (Sup)	5.00	Service
		129.50	GCJ (Dist)	2.00	DNA
		30.00	Facilities	10.00	Chapter 20
		4.00	Telephone		
		7.50	LEO Retirement		
		2.00	LEO Training		

¹ These totals do not apply to offenses for which specific court costs are assessed, such as adult front seat belt offenses, G.S. 20-135.2A, or offenses that do not bear court costs, such as failure to burn headlights with wipers on, G.S. 20-129(a)(4). Nor do they include the \$50.00 that must be assessed for conviction of an improper equipment offense, per G.S. 7A-304(a)(4b), or the impaired driving fee of \$100.00 under G.S. 7A-304(a)(10).



Category	Total Amount	Amounts & Amount Descriptions			
Superior Court Infraction Appealed from District Court for Trial De Novo (IFDA)	368.50	129.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	Telephone (Dist)	4.00	Telephone (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)		
		18.00	Misd. Confinement		
		5.00	Service		
Superior Court Infraction Appealed from District Court for Trial De Novo Chapter 20 Offense (IFTA)	388.50	129.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	Telephone (Dist)	4.00	Telephone (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)	10.00	Chapter 20 (Sup)
		18.00	Misd. Confinement		
		5.00	Service		
		10.00	Chapter 20 (Dist)		
Superior Court Misdemeanor Appealed from District Court for Trial De Novo (CRDA)	372.50	129.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	Telephone (Dist)	4.00	Telephone (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)	2.00	DNA (Sup)
		18.00	Misd. Confinement		
		5.00	Service		
		2.00	DNA (Dist)		
Superior Court Misdemeanor Appealed from District Court for Trial De Novo Chapter 20 Offense (CRTA)	392.50	129.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	Telephone (Dist)	4.00	Telephone (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)	2.00	DNA (Sup)
		18.00	Misd. Confinement	10.00	Chapter 20 (Sup)
		5.00	Service		
		2.00	DNA (Dist)		
		10.00	Chapter 20 (Dist)		



Appendix - Chapter 20 Improper Equipment Offenses

Effective August 1, 2011

Set out below is a table of Chapter 20 “improper equipment offenses.”

Effective for **costs assessed or collected on or after August 1, 2011** (unless the waiver exception of G.S. 7A-304(g) applies), a defendant who is found guilty or responsible for an “improper equipment offense” under Chapter 20 must pay a fee of \$50.00 in addition to the standard Chapter 20 criminal/infracton costs amount. See G.S. 7A-304(a)(4b). The Office of the Clerk of Superior Court will remit this additional \$50.00 to the Department of Correction for placement in a new Statewide Misdemeanant Confinement Fund. *Id.* (For more information on the Statewide Misdemeanant Confinement Fund, see S.L. 2011-192 (HB 642), § 7.)

The Chief District Court Judges have traditionally limited “improper equipment offenses” on the list of waivable traffic offenses to equipment violations found in Part 9 of Article 3 of Chapter 20.¹⁹ The judges have, however, distinguished “equipment violations” in Part 9 from “height, length and width” violations in Part 9.²⁰ Using the waiver list as guidance, the NCAOC interprets the “improper equipment” fee to apply to any offense in Part 9 *other* than (i) violations relating to vehicle height, length and width and (ii) violations that otherwise could be considered equipment violations, but for which the equipment element of the offense is derivative of the height, width or length nature of the offense. An example of the latter would be violations of G.S. 20-117 (flags and lights at the end of loads), for which the equipment (the flag) is required only because of a load that has extended the overall length of the vehicle.

For each improper equipment offense, the table lists the statutory citation, the offense code description (or simply a brief description of the offense if there is no offense code for the violation), and the offense code for the violation where one exists.

Statute	Description	Offense Code
G.S. 20-116(g)	IMPROPER LOADING/COVERING VEH	4425
G.S. 20-117.1(a)	BUS, TRUCK OR TRUCK TRACTOR MIRROR VIOLATION	None
G.S. 20-120	FLAT TRUCK OR TOBACCO TRUCK LOAD VIOLATION	None
G.S. 20-121.1	LOW-SPEED VEHICLE EQUIPMENT VIOLATION	None
G.S. 20-122	TIRE RESTRICTIONS EQUIP VIOL	4421
G.S. 20-122.1	UNSAFE TIRES	4462
G.S. 20-123	IMPROPER TOWING	4413
G.S. 20-123.1	IMPROPER STEERING MECHANISM	4423
G.S. 20-123.2	IMPROPER EQUIP - SPEEDOMETER	4418
G.S. 20-124	IMPROPER BRAKES	4488
G.S. 20-125	HORN AND WARNING DEVICE VIO	4404
G.S. 20-125.1	DIRECTIONAL SIGNALS EQUIP VIOL	4426
G.S. 20-126	MIRROR VIOLATION	4407
G.S. 20-127(a)	WINDSHIELD WIPER EQUIP VIOL	4490
G.S. 20-127(d)	WINDOW TINTING VIOL	5596
G.S. 20-128	IMPROPER MUFFLER	4486
G.S. 20-128.1	EMISSIONS CONTROL VIOLATION	None
G.S. 20-129(a) ²¹	FAIL TO BURN HEADLAMPS	4445
G.S. 20-129(b)	DRIVE WITHOUT TWO HEADLAMPS	4492
G.S. 20-129(c)	MOTORCYCLE FAIL BURN HEADLAMP	4422
G.S. 20-129(d)	MOTORCYCLE FAIL BURN TAILLIGHT	4424

¹⁹ See Traffic Offenses for which Court Appearance May Be Waived (December 1, 2011), Item B.39., at: <http://www.nccourts.org/Forms/Documents/1219.pdf>.

²⁰ See Traffic Offenses for which Court Appearance May Be Waived (December 1, 2011), Item B.38.

²¹ The table does not include a violation of G.S. 20-129(a)(4) (offense code 4446), for failing to burn headlights when windshield wipers are in use, because the statute prohibits the assessment of court costs for that offense.

Statute	Description	Offense Code
G.S. 20-129(d)	REAR LAMPS VIOLATION	4427
G.S. 20-129(e)	BICYCLE LIGHT VIOLATION	None
G.S. 20-129(f)	FARM TRACTOR OR OTHER VEHICLE LIGHT VIOLATION	None
G.S. 20-129(g)	BRAKE/STOP LIGHT EQUIP VIOL	4429
G.S. 20-129.1	ADDITIONAL LIGHTING EQUIP VIOL	4435
G.S. 20-129.2	MOBILE HOME LIGHTING VIOLATION	None
G.S. 20-130	SPOT LAMP OR AUXILIARY LAMP VIOLATION	None
G.S. 20-130.1(e)	USE OF RED OR BLUE LIGHT	5576
G.S. 20-130.2	AMBER LIGHT VIOLATION	None
G.S. 20-130.3	WHITE LIGHT REAR – DRIVE FORWARD	4436
G.S. 20-131(a)	FAILURE TO DIM LIGHTS MEET VEH	4554
G.S. 20-131	HEADLAMP OR AUXILIARY LAMP VIOLATION (OTHER THAN FAILURE TO DIM LIGHTS UNDER CODE 4554)	None
G.S. 20-132	ACETYLENE LIGHTS VIOLATION	None
G.S. 20-134	NO LIGHTS ON PARKED VEHICLE	4481
G.S. 20-134(b)	RURAL LETTER CARRIER VEHICLE OR NEWSPAPER DELIVERY VEHICLE LIGHT VIOLATION	None
G.S. 20-135	DOOR, WINDOW, WINDSHIELD, WING OR PARTITION GLASS VIOLATION	None
G.S. 20-135.2	FRONT SEAT BELT CONSTRUCTION OR INSTALLATION VIOLATION	None
G.S. 20-135.3	REAR SEAT BELT CONSTRUCTION OR INSTALLATION VIOLATION	None
G.S. 20-136	SMOKE SCREEN DEVICE VIOLATION	None
G.S. 20-136.2	AIR BAG INSTALLATION VIOLATION	None
G.S. 20-137.1(a)	FAIL TO SECURE PASSENGER UNDER 16	4472
G.S. 20-137.2	LAW ENFORCEMENT VEHICLE RESEMBLANCE VIOLATION	None

