



NORTH CAROLINA  
ADMINISTRATIVE OFFICE  
*of the* COURTS

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MEMORANDUM  
(via E-Mail)

TO: Clerks of Superior Court  
Magistrates  
Superior Court Judges  
District Court Judges  
District Attorneys  
Public Defenders

FROM: Pamela Weaver Best, General Counsel  
Whitney Bishop Fairbanks, Assistant Counsel  
Amy Funderburk, Assistant Counsel  
Jo McCants, Assistant Counsel  
Matt Osborne, Assistant Counsel  
Troy Page, Assistant Counsel

DATE: September 18, 2015

RE: 2015 Court Costs and Fees – Interim Criminal Cost Legislation

This interim memo concerns only the handful of changes in the assessment and collection of costs and fees in criminal cases effective with the signing of the primary budget bill. While the primary budget bill for 2015 ([S.L. 2015-241](#)<sup>1</sup>) now is law, the General Assembly's 2015 long session is ongoing. As of the date of this memo, there is still legislation pending that could affect court costs. When the session is concluded, the Administrative Office of the Courts (NCAOC) will distribute a complete memo on court cost changes, updated court cost charts, and additional documentation about court costs.

The effective date for the changes to court costs discussed below is July 1, 2015. The go live date for forms, account codes, and system changes necessitated by S.L. 2015-241 is **October 1, 2015**. All necessary changes will be in place that morning. In the meantime you should continue business as usual.

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<sup>1</sup> <http://www.ncleg.net/Sessions/2015/Bills/House/PDF/H97v9.pdf>

**Changes to Court Costs.** G.S. 7A-304(a)(2b), 7A-304(a)(4), and 7A-304(a)(4b) [S.L.2015-241, §18A.11]

S.L. 2015-241 repeals G.S. 7A-304(a)(2b), which provided for the assessment of \$18.00 in the district court for the support of the Statewide Misdemeanor Confinement Fund (MCP fee) while simultaneously amending G.S. 7A-304(a)(4) to increase the General Court of Justice Fee (GCJ fee) for district and magistrate court by \$18.00.

S.L. 2015- 241 also amends G.S. 7a-304(a)(4b) by eliminating the disbursement of the \$50.00 Chapter 20 improper equipment fee to the Statewide Misdemeanor Confinement Fund and rerouting it to the State Treasurer for the “support of the General Court of Justice.” Court fees no longer will be disbursed to the MCP fund.

The changes to G.S. 7A-304(a) affect disbursement only; they do not affect a defendant’s obligation. In other words, a defendant’s total obligation for a misdemeanor conviction will be the same on October 1 as it has been all year.

**Change “phone system” to “telecommunications and data connectivity.”** G.S. 7A-304(a)(2a), 7A-305(a)(1a), 7A-306(a)(1a), 7A-307(a)(1a), 7A-343.2(b) [S.L.2015-241, §18A.23.(a)]

S.L. 2015-241 modernizes G.S. 7A-304(a)(2a), 7A-305(a)(1a), 7A-306(a)(1a), 7A-307(a)(1a), 7A-343.2(b) by replacing “phone systems” with “telecommunications and data connectivity.” This change concerns only NCAOC’s use of the money and requires no new action on the part of judges or clerks.

**Bills of costs** will be updated and made available electronically overnight on **September 30, 2015**. Any other forms affected by the cost changes will be updated during the regular forms revision cycle this fall; form changes will be publicized as they become effective. PDF versions of updated forms will be available on the NCAOC’s web site at <http://www.nccourts.org/forms/FormSearch.asp>.

**FMS and Cash Receipting** also will be updated overnight on **September 30, 2015**. Any new account numbers will be posted in the FMS Message Center at the appropriate time.