



NORTH CAROLINA  
ADMINISTRATIVE OFFICE  
*of the COURTS*

Legal and Legislative  
Services Division

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## MEMORANDUM

(via E-Mail)

TO: Clerks of Superior Court<sup>1</sup>  
Magistrates  
Superior Court Judges  
District Court Judges  
District Attorneys  
Public Defenders

FROM: Troy Page, Associate Legal Counsel

DATE: June 25, 2010

RE: Legislative Increases in Phone Fees and Chapter 20 Violation Fee  
**EFFECTIVE July 1, 2010**

In the Appropriations Act of 2009, [S.L. 2009-451](#), as amended by [S.L. 2009-575](#), the General Assembly enacted several changes to court costs and fees. For two specific fees, the **phone systems fee** and the **Chapter 20 violations fee**, the Act included a two-stage increase. The first increase was effective on September 1, 2009. The second increase takes effect on **July 1, 2010**. The increased costs and fees must be collected on all filings on or after that date, unless otherwise noted.

The phone systems fee for all case types<sup>2</sup> will increase from the current \$3.00 to \$4.00. The additional fee for criminal offenses and infractions under Chapter 20, G.S. 7A-304(a)(4a), will increase from the current \$5.00 to \$10.00. For criminal and infraction cases, the "waiver exception" applies to these increases, so defendants who waive their appearances and pay costs and fines after July 1st for charges initiated prior to that date must pay only the *lesser* of the new costs or the costs specified on the defendant's copy of the citation or other criminal process. S.L. 2009-451, §15.20.(n).

**Updated bills of costs** will be available electronically on Wednesday, June 30, 2010. The forms will be available in TAO-GUI/Conferences/AOC\_Forms\_Memos in the criminal PDF, civil PDF, estate PDF and special proceeding PDF directories. The PDF versions also will be available on the AOC's web site at [www.nccourts.org](http://www.nccourts.org). The CourtFlow team will notify users when the CourtFlow version of the AOC-CR-381 (Criminal Bill of Costs) is available.

**FMS and Cash Receipting** will be updated overnight when the increased fees take effect. As a convenience for the clerks, the FMS team has added a new account code for the cumulative assessment of the Chapter 20 fee in cases appealed from district court to superior court.<sup>3</sup> **VCAP** and **eCitation** also will be updated to account for the increased costs. For eCitation, officers must download the updates before citations will print the new amounts. The application teams will notify users when each application's updates are available.

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<sup>1</sup> We respectfully request that clerks' offices provide a copy of this memorandum to local law enforcement agencies and appropriate personnel in your offices.

<sup>2</sup> See G.S. 7A-304(a)(2a) (criminal); 7A-305(a)(1a) (civil); 7A-306(a)(1a) (special proceedings); and 7A-307(a)(1a) (estates).

<sup>3</sup> A line item for the new account code, 21821, is being added to the AOC-CR-381 and its CourtFlow counterpart.

**The court costs chart** will not be updated at this time. The increases described above were noted in the 2009 edition. The NCAOC will publish an updated chart after the current legislative session, to account for any other changes to costs and fees that may be enacted. The current chart is on the AOC intranet at: <https://cis1.nccourts.org/intranet/aocapps/crimprod/documents/legalmemos/courtcosts2009.pdf>

If you have any questions, please contact the NCAOC's Court Services Analyst (CSA) or Financial Management Analyst (FMA) for your county.

cc	Judge John W. Smith, Director	Ann Anderson, SOG
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