JUSTICE COURT FILING AND OTHER FEES

(Effective 10/1/19)

**PLEASE NOTE THE FOLLOWING: The Clerk of the Court shall not accept for filing any document except upon the payment of the fees set forth below and such other fees as may be allowed or required by law for the filing of such documents. Payment of fees must be by cash, money order, cashier’s check and personal checks.**

CIVIL ACTIONS: (Civil actions fees apply to ANY civil filing that is not a Small Claim or FED)

Plaintiff’s Filing Fee $90.00

Defendant’s Filing/Appearance Fee $90.00

Jury Trial Fee $125.00

 (Paid by party demanding jury trial at the time the demand is made.)

Trial Fee (Paid by Plaintiff at the time trial is set.) $75.00

Motion Fee $30.00

 (See ORS 21.200 for a listing of motions requiring this fee. Fee must be paid by moving party

 when motion is filed.)

 SMALL CLAIMS:

Plaintiff’s Filing Fee $37.00

Defendant’s Answer Fee $37.00

 (No fee to defendant who confesses or admits claim.)

Defendant’s Answer with Demand for jury trial $215.00

 (Amount in controversy must exceed $750) ($90 Civil Answer Fee + $125 Jury Trial Fee)

Plaintiff’s Additional Fee after Defendant’s Answer

with Demand for Jury Trial $53.00

 (Plaintiff’s filing of Complaint, Summons and payment of additional $53.00 fee removes an

 action from the Small Claims Docket to the Civil Docket.)

FED (Dwelling Unit to which ORS chapter 90 applies):

Plaintiff’s Filing Fee $88.00

Defendant’s Answer/Appearance Fee $88.00

 (There is no filing fee for a defendant who attends the first appearance, unless the defendant

 files an answer or files a pleading, such as an ORCP 21 motion.)

Jury Trial Fee $125.00

 (Jury Trial Fee must be paid by party making demand at the time demand is made.)

Trial Fee (Paid by Plaintiff and the time the trial is set.) $75.00

FED (Commercial or Non-Residential

Plaintiff’s Filing Fee $90.00

Defendant’s Filing/Appearance Fee $88.00 [(See ORS 105.130(3)]

Jury Trial Fee $125.00

 (Jury Trial Fee must be paid by party making demand at the time demand is made.)

Trial Fee (Paid by Plaintiff and the time the trial is set.) $75.00

**Note:** The Plaintiff’s Fee set forth in ORS 105.130(2) applies only to FED’s for dwelling units subject

to ORS ch. 90. The Civil Action Fee applies to all other FED’s. Pursuant to ORS 105.130 (3) the

Defendant’s Filing Fee applies to all FED’s, not just those to which ORC ch. 90 applies.

OTHER FEES

FILING FEE FOR MOTION TO SET ASIDE CONVICTION $0

 As per ORS 137.225 1(f) pertaining to ORS 137.225 1(b)(A)(B)(C)(D). A person filing the motion is not required to pay the filing fee established under ORS 21.135. Effective 1-1-22.

FILING FEES FOR MOTION TO SET ASIDE ARREST $90.00

 [(Civil Action Filing Fee still applies to Motions filed under ORS 137.225(1) (b)]

WRIT OF GARNISHMENT OR WRIT OF EXECUTION $20.00

**[If Small Claims, must also pay ADDITIONAL $9.00 to transcribe to Civil Docket, ORS 55.130(2)]**

NOTICE OF RESTITUTION (FED) $10.00

TRANSCRIPT OF JUDGEMENT $9.00

CERTIFIED COPY OF JUDGEMENT $9.00

FOR EACH OFFICIAL CERTIFICATE $10.00

[For example, a certified copy of a document such as a Satisfaction of Judgement. Be sure to also collect the Search Fee and Copy Fee as provided in ORS 205.320 for locating and copying the document or record requested. ORS 51.310(1) (j)]

COSTS, DISBURSEMENTS AND PREVAILING PARTY FEES

 Prevailing Party Fees are fees set by statute (ORS 20.190) and are awarded to the prevailing party in certain civil actions as a matter or right. The Prevailing Party Fee is awarded as a part of costs and disbursements. Prevailing Party fees, costs and disbursements are required to be awarded to the prevailing party as a matter of law. ORS 52.010(2). A prayer for costs and disbursements and the prevailing party fee in a Justice Court civil action. *Id.*

 Prevailing Party Fees apply only in civil actions; such fees are not available in a criminal action, including traffic violations.

 Prevailing Party Fees in Justice Court civil actions are set forth below (See ORS 20.190).

 Type of Action No Trial After Trial

Civil Action Docket—No money or damages at issue $50 $60

Civil Action Docket—Money or damages at issue $117 $135

Small Claim—No money or damages at issue $50 $60

Small Claim—Money or damages at issue $117 $135

FED—Restitution of premises only issue $50 $60

FED—Restitution and money damages at issue $117 $135

APPEAL FEES

Fee for appeal to Circuit Court from a violation offense conviction $281

Fee for appeal to Circuit Court from Small Claim judgement $170

 (Judgement amount must also be paid to appeal to Circuit Court)

Fee for appeal to Circuit Court from Civil action judgement $170

Fee for appeal to Circuit Court from FED judgement $170

MORROW COUNTY JUSTICE COURT FEES

File copies for Immigration Service $25.00

Warrant Fee $50.00

Suspension Fee $30.00

Fax Information for Reinstatement to DMV $5.00

Court Appointed Attorney Rate $60.00/hr.

Monthly Payment Processing Fee (one-time fee) $50.00

Diversion Administration Fee $150.00

NSF Check Fee $30.00