

SENATE BILL NO. 566

June 4, 1997, Introduced by Senator VAN REGENMORTER and
referred to the Committee on Judiciary.

A bill to amend 1961 PA 236, entitled
"Revised judicature act of 1961,"
by amending section 321 (MCL 600.321), as amended by 1990 PA
277.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 321. (1) The following fees shall be paid to the clerk
2 of the court of appeals, and may be taxed as costs where costs
3 are allowed by order of the court:

4 (a) The sum of ~~-\$200.00-~~ \$250.00 for an appeal as of right,
5 for an application for leave to appeal, or for an original
6 proceeding. This fee shall be paid only once for appeals that
7 are taken by multiple parties from the same lower court order or
8 judgment and can be consolidated.

1 (b) Upon the entry of any motion EXCEPT A MOTION DESCRIBED
2 IN SUBDIVISION (C) upon the motion docket, the sum of ~~\$50.00~~
3 \$75.00.

4 (C) UPON THE ENTRY OF A MOTION FOR IMMEDIATE CONSIDERATION
5 OR A MOTION TO EXPEDITE APPEAL UPON THE MOTION DOCKET, THE SUM OF
6 \$250.00. THIS FEE SHALL BE PAID ONLY ONCE REGARDLESS OF THE
7 NUMBER OF LOWER COURT FILES INVOLVED IN THE APPEAL. A PROSECUT-
8 ING ATTORNEY IS EXEMPT FROM PAYING A FEE UNDER THIS SUBDIVISION
9 WHEN FILING A MOTION FOR IMMEDIATE CONSIDERATION OR A MOTION TO
10 EXPEDITE APPEAL WITH REGARD TO AN APPEAL ARISING OUT OF A CRIMI-
11 NAL PROCEEDING.

12 (2) The clerk of the court of appeals shall be allowed the
13 sum of 50 cents per page for certified copies of any entries or
14 papers in any action or proceedings when required for any other
15 purpose than one connected with the progress or disposition of
16 such action or proceeding.

17 (3) The clerk shall charge the sum of 50 cents per page for
18 all uncertified copies of opinions, excepting those sent to 1
19 counsel representing each party in the case, for which no charge
20 shall be made.

21 (4) If a person is unable to pay the fees required by this
22 section, the person, by motion, accompanied by the person's affi-
23 davit stating facts showing such inability, may ask the court to
24 waive the fees and the court or a judge of the court may waive
25 payment of the fees.

1 (5) Each month the clerk of the court of appeals shall
2 deposit with the state treasurer all fees collected, securing and
3 filing a receipt for the fees deposited.

4 (6) Costs shall be awarded in the discretion of the court.

5 (7) Upon appeal to the court of appeals, there shall be paid
6 to the clerk of the trial court the sum of \$10.00 as an appeal
7 fee.