

# Fiscal Analysis



## MOTION AND FILING FEES

Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

### Senate Bill 470 (Substitute H-1)

**Sponsor: Sen. Alan L. Cropsey**

**House Committee: Appropriations**

**Senate Committee: Appropriations**

**Complete to September 19, 2005**

### A SUMMARY OF SENATE BILL 470 SUBSTITUTE (H-1):

The bill would amend the Revised Judicature Act to postpone sunsets on certain Court of Appeals and district court fee increases that took effect October 1, 2003, and generally to direct affected fee revenue to existing or planned drug treatment courts.

#### Court of Appeals Fees

Public Act 138 of 2003 increased the Court of Appeals motion fee from \$75 to \$100, increased the fee for expedited and immediate consideration motions from \$150 to \$200, and provided for both fee increases to expire October 1, 2005. The bill would postpone the sunset to October 1, 2007.

#### District Court Fees

Public Act 138 of 2003 increased certain district court civil filing fees (see below) by \$5 each by increasing the portion retained by the local funding unit by \$5 and specifying that at least \$5 of the local share must be used for district court operations. The act imposed a sunset of October 1, 2005 for the fee increases and associated provisions. The bill would eliminate the sunset on the \$5 fee increase and generally direct the revenue to the local drug treatment court. Balances not needed by the drug treatment court, as well as fees in locales where there was no drug court, would be used for the operation of the district court.

	Current Filing Fee	Fee as of 10/1/05 under current sunset
District/Municipal court filing fee for recovery of premises	\$45	\$40
Small claims - under \$600	\$25	\$20
Small claims - \$600 to \$1,750	\$45	\$40
Small claims - \$1,751 to \$3,000	\$65	\$60
General civil and summary disposition - under \$600	\$25	\$20
General civil and summary disposition - \$600 to \$1,750	\$45	\$40
General civil and summary disposition - \$1,751 to \$10,000	\$65	\$60

## **FISCAL IMPACT:**

### Court of Appeals

The motion fee increases are estimated to have increased annual revenue by \$87,500. Boilerplate language in the Judiciary budget acts for the past two fiscal years has dedicated this revenue to efforts to reduce delays and speed processing of cases through the Court of Appeals. The conference report for SB 275, the FY 2005-06 Judiciary budget bill, assumes that this revenue will continue to be collected and includes the associated boilerplate.

### District Court Fees

The State Court Administrative Office estimates that based on reported 2004 civil filings, the annual revenue collected under the \$5 increase generates approximately \$2.6 million statewide. Estimated revenues by county are shown below.

County	Estimated Revenue Due to \$5 Increase	County	Estimated Revenue Due to \$5 Increase	County	Estimated Revenue Due to \$5 Increase
Alcona	\$1,290	Gratiot	\$6,335	Missaukee	\$1,755
Alger	\$1,255	Hillsdale	\$9,915	Monroe	\$34,975
Allegan	\$20,005	Houghton	\$3,695	Montcalm	\$15,975
Alpena	\$5,575	Huron	\$8,680	Montmorency	\$1,500
Antrim	\$3,530	Ingham	\$92,920	Muskegon	\$47,225
Arenac	\$2,920	Ionia	\$12,715	Newaygo	\$6,765
Baraga	\$680	Iosco	\$4,955	Oakland	\$329,350
Barry	\$9,270	Iron	\$1,485	Oceana	\$3,870
Bay	\$24,050	Isabella	\$12,820	Ogemaw	\$3,440
Benzie	\$2,050	Jackson	\$41,980	Ontonagon	\$725
Berrien	\$44,305	Kalamazoo	\$71,540	Osceola	\$4,730
Branch	\$12,570	Kalkaska	\$3,265	Oscoda	\$1,000
Calhoun	\$44,945	Kent	\$153,140	Otsego	\$6,415
Cass	\$10,040	Keweenaw	\$75	Ottawa	\$46,305
Charlevoix	\$5,655	Lake	\$2,150	Presque Isle	\$1,915
Cheboygan	\$5,315	Lapeer	\$13,150	Roscommon	\$5,180
Chippewa	\$5,140	Leelanau	\$1,710	Saginaw	\$50,925
Clare	\$7,935	Lenawee	\$18,300	Sanilac	\$8,210
Clinton	\$9,635	Livingston	\$24,310	Schoolcraft	\$1,440
Crawford	\$2,750	Luce	\$825	Shiawassee	\$14,465
Delta	\$5,045	Mackinac	\$1,525	St. Clair	\$37,215
Dickinson	\$4,680	Macomb	\$193,030	St. Joseph	\$14,210
Eaton	\$20,115	Manistee	\$4,335	Tuscola	\$10,195
Emmet	\$8,525	Marquette	\$10,160	Van Buren	\$21,930
Genesee	\$156,120	Mason	\$4,750	Washtenaw	\$77,140
Gladwin	\$4,490	Mecosta	\$9,075	Wayne	\$712,410
Gogebic	\$2,105	Menominee	\$2,880	Wexford	\$10,700
Grand Traverse	\$19,295	Midland	\$14,380		

Fiscal Analyst: Marilyn Peterson

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.