

**SENATE  
STATE OF MINNESOTA  
NINETIETH SESSION**

**S.F. No. 1621**

(SENATE AUTHORS: LATZ, Johnson and Limmer)

| DATE       | D-PG | OFFICIAL STATUS  |
|------------|------|--|
| 03/01/2017 | 924  | Introduction and first reading                             |
|            |      | Referred to Judiciary and Public Safety Finance and Policy |
| 03/08/2017 | 1192 | Author added Johnson                                       |
| 03/14/2017 | 1462 | Author added Limmer  |

1.1 A bill for an act

1.2 relating to courts; lowering or eliminating certain court-related fees; amending

1.3 Minnesota Statutes 2016, sections 357.021, subdivision 2; 609.748, subdivision

1.4 3a.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2016, section 357.021, subdivision 2, is amended to read:

1.7 Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator

1.8 shall be as follows:

1.9 (1) In every civil action or proceeding in said court, including any case arising under

1.10 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,

1.11 petitioner, or other moving party shall pay, when the first paper is filed for that party in said

1.12 action, a fee of \$310, except in marriage dissolution actions the fee is \$340.

1.13 The defendant or other adverse or intervening party, or any one or more of several

1.14 defendants or other adverse or intervening parties appearing separately from the others,

1.15 shall pay, when the first paper is filed for that party in said action, a fee of \$310, except in

1.16 marriage dissolution actions the fee is \$340. This subdivision does not apply to the filing

1.17 of an Application for Discharge of Judgment. Section 548.181 applies to an Application

1.18 for Discharge of Judgment.

1.19 The party requesting a trial by jury shall pay \$100.

1.20 The fees above stated shall be the full trial fee chargeable to said parties irrespective of

1.21 whether trial be to the court alone, to the court and jury, or disposed of without trial, and

1.22 shall include the entry of judgment in the action, but does not include copies or certified

2.1 copies of any papers so filed or proceedings under chapter 103E, except the provisions  
2.2 therein as to appeals.

2.3 (2) Certified copy of any instrument from a civil or criminal proceeding, \$14, and \$8  
2.4 for an uncertified copy.

2.5 (3) Issuing a subpoena, \$16 for each name.

2.6 (4) Filing a motion or response to a motion in civil, family, excluding child support, and  
2.7 guardianship cases, \$100.

2.8 (5) Issuing an execution and filing the return thereof; issuing a writ of attachment,  
2.9 injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically  
2.10 mentioned, \$55.

2.11 (6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment  
2.12 from another court, \$40.

2.13 (7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of  
2.14 judgment, \$5.

2.15 (8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name  
2.16 certified to.

2.17 (9) Filing and indexing trade name; or recording basic science certificate; or recording  
2.18 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,  
2.19 \$5.

2.20 (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

2.21 (11) For the deposit of a will, \$27.

2.22 (12) For recording notary commission, \$20.

2.23 (13) Filing a motion or response to a motion for modification of child support, a fee of  
2.24 ~~\$100~~ \$50.

2.25 (14) All other services required by law for which no fee is provided, such fee as compares  
2.26 favorably with those herein provided, or such as may be fixed by rule or order of the court.

2.27 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of  
2.28 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption  
2.29 petition filed in district court to fund the fathers' adoption registry under section 259.52.

2.30 The fees in clauses (3) and (5) need not be paid by a public authority or the party the  
2.31 public authority represents.

3.1 **EFFECTIVE DATE.** This section is effective July 1, 2017.

3.2 Sec. 2. Minnesota Statutes 2016, section 609.748, subdivision 3a, is amended to read:

3.3 Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this  
3.4 section are waived for the petitioner and the respondent if the petition alleges acts that would  
3.5 constitute a violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to  
3.6 609.3451. The court administrator and the sheriff of any county in this state shall perform  
3.7 their duties relating to service of process without charge to the petitioner. The court shall  
3.8 direct payment of the reasonable costs of service of process if served by a private process  
3.9 server when the sheriff is unavailable or if service is made by publication. ~~The court may~~  
3.10 ~~direct a respondent to pay to the court administrator the petitioner's filing fees and reasonable~~  
3.11 ~~costs of service of process if the court determines that the respondent has the ability to pay~~  
3.12 ~~the petitioner's fees and costs.~~

3.13 **EFFECTIVE DATE.** This section is effective July 1, 2017.