

22A: 2-25 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 22A:2-25 et al (County clerks and registers of deeds--
increase fees)

LAWS OF: 1985 **CHAPTER:** 422

BILL NO: S2949

Sponsor(s): Lynch

Date Introduced: May 6, 1985

Committee: Assembly: Judiciary

Senate: Judiciary

Amended during passage: No

Date of Passage: Assembly: December 9, 1985

Senate: June 27, 1985

Date of Approval: January 13, 1986

Following statements are attached if available:

Sponsor statement: Yes (Below)

Committee statement: Assembly Yes

Senate No

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

Sponsor's statement:

This bill would raise by approximately 50% certain fees charged by county clerks or deputy clerks of the Superior Court and registers of deeds and mortgages.

CHAPTER 422 LAWS OF N. J. 1985
APPROVED 1-13-86

SENATE, No. 2949

STATE OF NEW JERSEY

INTRODUCED MAY 6, 1985

By Senator LYNCH

Referred to Committee on Judiciary

AN ACT concerning fees and costs to be charged and collected by county clerks and deputy clerks of the Superior Court and registers of deeds and mortgages, amending N. J. S. 22A:2-25, N. J. S. 22A:2-26, N. J. S. 22A:2-27, N. J. S. 22A:2-29, P. L. 1965, c. 123 and P. L. 1968, c. 313, supplementing Title 22A of the New Jersey Statutes and repealing N. J. S. 22A:3-1, N. J. S. 22A:3-2 and N. J. S. 22A:3-3.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. N. J. S. 22A:2-25 is amended to read as follows:

2 22A:2-25. Upon the filing, entering or docketing with the deputy
3 clerk of the Superior Court in the various counties of the herein-
4 mentioned papers or documents by either party to any action or
5 proceeding in the law division of the Superior Court, other than
6 a civil action in which a summons or writ must be issued, he shall
7 pay the deputy clerk of the court the following fees:

8	Entering of complaint or first paper of any		
9	action or proceeding	[\$6.00]	\$9.00
10	Filing complaint	[\$2.00]	\$3.00
11	Filing answer or appearance	[\$4.00]	\$6.00
12	Filing any other pleading, any amended plead-		
13	ing or any amendment to a pleading	[\$2.00]	\$3.00
14	Filing and entering each order or judgment of		
15	court, including order to show cause	[\$4.00]	\$6.00

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter printed in italics *thus* is new matter.

16	Filing and entering a voluntary dismissal,		
17	either by stipulation or order of court	【\$5.00】	\$7.50
18	Filing notice of appeal	【\$10.00】	\$15.00
19	Filing proceedings or papers on appeal	【\$4.00】	\$6.00
20	Filing first paper on petition for expungement	【\$15.00】	\$22.50
21	Filing any other paper or document not herein		
22	stated	【\$3.00】	\$4.50
23	Signing and sealing habeas corpus	【\$5.00】	\$7.50
24	Signing and issuing subpoenas	【\$1.00】	\$1.50

1 2. N. J. S. 22A :2-26 is amended to read as follows :

2 22A :2-26. Upon all motions, with or without
3 notice, in the law division of the 【County】 Su-
4 perior Court, the moving party shall pay to the
5 clerk of the said division 【\$3.00】 \$9.00

6 This section shall not apply to an action in which a summons or
7 writ must be issued.

1 3. N. J. S. 22A :2-27 is amended to read as follows :

2 22A :2-27. In cases appealed to the law division of the 【County】
3 Superior Court from any inferior court or tribunal, criminal or
4 civil, 【the following fees shall be charged by the clerk of the law
5 division and allowed in the taxed bill of costs :

6 Attorney's fees for trial or arguments, \$6.00

7 Clerk's fees as follows :

8 Filing notice of appeal, appeal papers, and proceedings
9 including judgment in the County Court or order of
10 dismissal \$15.00

11 Taxing costs, including copy \$1.75

12 All fees for summoning and swearing witnesses and taking verdict
13 as allowed in other cases in the law division of the County Court】
14 the clerk of the division shall charge a fee of \$30.00 for filing a
15 notice of appeal, appeal papers and proceedings including judgment
16 in the Superior Court or order of dismissal.

1 4. N. J. S. 22A :2-29 is amended to read as follows :

2 22A :2-29. Upon the filing, indexing, entering or recording of
3 the following documents or papers in the office of the county clerk
4 or deputy clerk of the Superior Court, such parties, filing or having
5 the same recorded or indexed in the county clerk's office or with the
6 deputy clerk of the Superior Court in the various counties in this
7 State shall pay the following fees in lieu of the fees heretofore
8 provided for the filing, recording or entering of such documents
9 or papers.

10	In general—		
11	Issuing county clerk's certificate, any instru-		
12	ment	【\$2.00】	\$3.00
13	Comparing and making copies, per sheet	【\$2.00】	\$3.00
14	Copies of all papers, typing and comparing of		
15	photostat, per page	【\$1.00】	\$1.50
16	Marking as a true copy, any instrument	【\$1.00】	\$1.50
17	Exemplification, any instrument	【\$5.00】	\$7.50
18	Plus \$1.00 per page of instrument.		
19	Recording or filing all instruments not herein		
20	stated	【\$5.00】	\$7.50
21	Bonds, bail, recognizances—		
22	Recording all official bonds with acknowledg-		
23	ment and proof of the execution thereof	【\$6.00】	\$9.00
24	Filing and entering recognizances or civil bail .	【\$6.00】	\$9.00
25	Filing discharge, attachment bond	【\$6.00】	\$9.00
26	Filing satisfaction or order discharging recog-		
27	nizance or civil bail	【\$6.00】	\$9.00
28	Filing and recording filiation bond	【\$6.00】	\$9.00
29	Filing satisfaction of or order discharging filia-		
30	tion bond	【\$6.00】	\$9.00
31	Recording or discharging sheriff's bonds	【\$6.00】	\$9.00
32	Nonbusiness corporation, recording:		
33	Certificates of incorporation of corporations		
34	and associations not for profit, and of		
35	societies, clubs, credit unions, churches,		
36	religious societies and congregations	【\$10.00】	\$15.00
37	Amendments to certificates of incorporation,		
38	all corporations, recording	【\$10.00】	\$15.00
39	All other corporate certificates, recording ..	【\$6.00】	\$9.00
40	Bank merger agreements, recording:		
41	Three sheets or less	【\$10.00】	\$15.00
42	Each sheet over three	【\$2.00】	\$3.00
43	Certificates, each	【\$2.00】	\$3.00
44	Trade-names, firms, partnership:		
45	Certificate of name, filing (see R. S. 56:1-1		
46	et seq.)	【\$20.00】	\$30.00
47	Certificates of dissolution of trade-name		
48	(see R. S. 56:1-6 et seq.)	【\$6.00】	\$9.00
49	Bottles, et cetera, description (see R. S.		
50	56:3-14 et seq.)	【\$3.00】	\$4.50
51	Building and Loan or Savings and Loan		
52	Associations:		

53	Change of name	【\$10.00】	\$15.00
54	Dissolution	【\$6.00】	\$9.00
55	Certificates for limited-dividend housing		
56	associations, recording	【\$10.00】	\$15.00
57	Certificates for urban renewal associations,		
58	recording	【\$10.00】	\$15.00
59	Judgments, et cetera—		
60	Recording judgments	【\$6.00】	\$9.00
61	Filing, entering and recording judgment on		
62	bond and warrant by attorney	【\$25.00】	\$37.50
63	Certificate for docketing Superior Court trans-		
64	script	【\$6.00】	\$9.00
65	Recording assignments of judgments	【\$10.00】	\$15.00
66	Issuing transcript of judgments	【\$5.00】	\$7.50
67	Filing or entering on the record of discharge,		
68	cancellation, release or satisfaction of a judg-		
69	ment by satisfaction piece, execution re-		
70	turned satisfied or otherwise	【\$5.00】	\$7.50
71	For recording and indexing postponement of		
72	the lien of judgments	【\$10.00】	\$15.00
73	Execution on judgment:		
74	<i>Issuing warrants on court order</i>		\$9.00
75	Drawing execution	【\$6.00】	\$9.00
76	Recording execution	【\$6.00】	\$9.00
77	Warrant for satisfaction	【\$4.00】	\$6.00
78	<i>Writ of attachments</i>		\$9.00
79	Writ of possession	【\$6.00】	\$9.00
80	Writ of sequestration	【\$6.00】	\$9.00
81	Discharge of writ	【\$6.00】	\$9.00
82	Mandate	【\$10.00】	\$15.00
83	Liens—		
84	Filing, indexing and recording mechanic's lien		
85	claim	【\$6.00】	\$9.00
86	Recording, filing and noting on the record the		
87	discharge, release or satisfaction of a me-		
88	chanic's lien claim	【\$6.00】	\$9.00
89	Extension of lien claim	【\$2.00】	\$3.00
90	Filing statement [of county district court judg-		
91	ment] in mechanic's lien proceeding	【\$6.00】	\$9.00
92	Filing, recording and indexing mechanic's no-		
93	tice of intention	【\$3.00】	\$4.50
94	Filing a certificate discharging a mechanic's		

95	notice of intention and noting the discharge		
96	on the record thereof	[\$3.00]	\$4.50
97	Filing certificate from court of commencement		
98	of suit	[\$3.00]	\$4.50
99	Filing a court order amending a mechanic's		
100	notice of intention	[\$6.00]	\$9.00
101	<i>Filing a court order to discharge notice of in-</i>		
102	<i>tention and noting the discharge on the rec-</i>		
103	<i>ord thereof</i>		\$9.00
104	Filing, recording and indexing stop notices . . .	[\$3.00]	\$4.50
105	Filing a certificate discharging a stop notice		
106	and noting the discharge on the record		
107	thereof	[\$3.00]	\$4.50
108	Filing a court order discharging a stop notice		
109	and noting the discharge on the record		
110	thereof	[\$6.00]	\$9.00
111	Filing building contract	[\$10.00]	\$15.00
112	<i>Filing discharge of building contracts</i>		\$9.00
113	Filing building specifications	[\$5.00]	\$7.50
114	Filing building plans	[\$5.00]	\$7.50
115	Filing each notice of physician's lien	[\$3.00]	\$4.50
116	Entering upon the record the discharge of a		
117	physician's lien	[\$3.00]	\$4.50
118	Filing each hospital lien claim	[\$3.00]	\$4.50
119	Discharge of hospital lien	[\$3.00]	\$4.50
120	Filing satisfaction or order for discharge of		
121	attachment	[\$6.00]	\$9.00
122	Recording collateral inheritance waiver or re-		
123	ceipt	[\$6.00]	\$9.00
124	Recording inheritance tax waiver	[\$6.00]	\$9.00
125	Subordination, release, partial release or post-		
126	ponement of a lien to lien of mortgage	[\$5.00]	\$7.50
127	Commissions and oaths—		
128	Administering oaths to notaries public and com-		
129	missioners of deeds	[\$5.00]	\$7.50
130	For issuing certificate of authority of notary to		
131	take proof, acknowledgment of affidavit	[\$2.00]	\$3.00
132	For issuing each certificate of the commission		
133	and qualification of notary public for filing		
134	with other county clerks	[\$4.00]	\$6.00
135	For filing each certificate of the commission and		
136	qualification of notary public, in office of		

137	county clerk of county other than where such		
138	notary has qualified	[\$4.00]	\$6.00
139	Miscellaneous—		
140	Filing and recording proceedings for laying		
141	out, vacating or dedicating roads	[\$10.00]	\$15.00
142	[Change of name (recording and filing all pro-		
143	ceedings)		\$30.00]
144	Recording firemen's certificates		No charge
145	Registering physician	[\$10.00]	\$15.00
146	Issuing alcoholic beverage identification card .	[\$4.00]	\$6.00

1 5. Section 2 of P. L. 1965, c. 123 (C. 22A:4-4.1) is amended to
2 read as follows:

3 2. County clerks and registers of deeds and mortgages, in coun-
4 ties having such office, shall charge for the services herein enumer-
5 ated the following fees:

			Fee
6	For recording veteran's discharge papers		No fee
7	For recording any instrument:		
8	First page	[\$10.00]	\$15.00
9	Each additional page or part thereof	[\$1.00]	\$2.00
10	Each rider, insertion, addition, or any map,		
11	plat or sketch filed or recorded pursuant to		
12	paragraph (c) of section 2 of P. L. 1957,		
13	chapter 130	[\$1.00]	\$2.00
14	For entering the marginal notation of an order,		
15	judgment, statement or warrant discharging,		
16	annulling a notice of lis pendens and for filing		
17	such order, judgment or statement	[\$2.00]	\$3.00
18	For preparing and transmitting to the assessor,		
19	collector, or other custodian of the assessment		
20	map of any taxing district, the abstract of an		
21	instrument evidencing title to realty	[\$2.00]	\$3.00
22	For entering the marginal notation of a discharge		
23	or release of a New Jersey building and loan or		
24	savings and loan mortgage and forwarding ab-		
25	stract	[\$2.00]	\$3.00
26	For entering the marginal notation of a dis-		
27	charge, assignment, postponement or release of		
28	a mortgage, other than building and loan and		
29	savings and loan mortgages	[\$2.00]	\$3.00
30	For the cancellation of any mortgage	[\$5.00]	\$8.00
31	For a marginal notation of the discharge of a		
32	mortgage in counties where mortgages are in-		

33	dexed under a system requiring a duplication		
34	of indices and description	[\$2.00]	\$3.00
35	For filing and recording notices of federal tax		
36	liens or certificates discharging such liens	[\$5.00]	\$8.00
37	For filing each map, plat, plan or chart (except		
38	when presented by the State or its agencies or		
39	filed pursuant to paragraph (c) of section 2 of		
40	P. L. 1957, c. 130 (C. 48:3-17.3))	[\$12.00]	\$18.00
41	For recording tax sale certificate, except by mu-		
42	nicipalities, or a redemption or assignment of		
43	tax sale certificate, first page	[\$10.00]	\$15.00
44	Each additional page or part thereof	[\$1.00]	\$2.00
45	Certified copy of veteran's discharge	[\$0.50]	\$1.00
46	For indexing any recorded instrument in excess		
47	of 10 parties, per each name in excess of 10 . . .	[\$0.20]	\$0.30
48	For recording tax sale certificate, lien, deed, or		
49	related instrument by a municipality		\$3.00

1 6. Section 4 of P. L. 1968, c. 313 (C. 33:1-81.5) is amended to
2 read as follows:

3 4. A fee of ~~[\$2.00]~~ \$6.00 shall be paid to each county clerk for
4 the issuance of an identification card hereunder.

1 7. (New section) a. The county treasurer shall return to the
2 county clerk or the register of deeds and mortgages \$1.00 of each
3 fee received for the recording, filing or cancelling of a document
4 in the office of the county clerk or register of deeds and mortgages.
5 Such sums shall be returned within 10 days of receipt of the fee
6 by the county treasurer.

7 b. Monies received by the county clerks or registers of deeds and
8 mortgages pursuant to the provisions of subsection a. shall be used
9 to upgrade and modernize the services provided by their offices.

10 c. The provisions of subsection a. shall not apply to fees received
11 from municipalities for recording, filing or cancelling documents.

1 8. N. J. S. 22A:3-1, N. J. S. 22A:3-2, and N. J. S. 22A:3-3 are
2 repealed.

1 9. This act shall take effect immediately but section 7 shall ex-
2 pire five years from the date of enactment.

STATEMENT

This bill would raise by approximately 50% certain fees charged by county clerks or deputy clerks of the Superior Court and registers of deeds and mortgages.

The bill would also establish fees for the following: for the issuance of warrants or writs of attachment in connection with executions on judgments and for the discharge of a notice of intent or a building contract in connection with a mechanic's lien.

The bill further provides that for a period of five years, \$1.00 of each fee received by a county clerk or register of deeds and mortgages shall be returned to that office. Monies so derived would be used to modernize and upgrade the services provided by these offices.

Additionally, the bill repeals three archaic statutes related to the imposition of fees in criminal matters.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 2949

STATE OF NEW JERSEY

DATED: AUGUST 12, 1985

This bill would raise by approximately 50% certain fees charged by county clerks or deputy clerks of the Superior Court and registers of deeds and mortgages.

The bill would also establish fees for the following: for the issuance of warrants or writs of attachment in connection with executions on judgments and for the discharge of a notice of intent or a building contract in connection with a mechanic's lien.

The bill further provides that for a period of five years, \$1.00 of each fee received by a county clerk or register of deeds and mortgages shall be returned to that office. Monies so derived would be used to modernize and upgrade the services provided by these offices.

S-2949, sponsored by State Senator John A. Lynch, D-Middlesex, which raises fees charged by county clerks or deputy clerks of the Superior Court and registers of deeds and mortgages.

S-2996, sponsored by Senate President Carmen A. Orechio, D-Essex, which appropriates \$1,150,000 to the Department of Higher Education for Montclair State College to meet expenses associated with the termination of the Carrino Landfill, which is located on college property.

S-3063, sponsored by State Senator Matthew Feldman, D-Bergen, which permits the creation of community trusts for persons with severe chronic disabilities.

Community trusts allow the family members of persons with severe chronic disabilities to pool their resources to provide for care of the disabled family member when other family members are no longer able to do so.

S-3315, sponsored by State Senator Gerald Cardinale, R-Bergen, which redesignates the Glen Gardner Center for Geriatrics as the Senator Garrett W. Hagedorn Center for Geriatrics.

S-3387, sponsored by Senate President Carmen A. Orechio, D-Essex, which expands the boundary lines of the Passaic Valley Sewerage District to include a portion of the Township of North Caldwell and a portion of the Township of Cedar Grove.

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