

22A:2-6

April 29, 1971

LEGISLATIVE NOTES ON R.S. 22A:2-6  
22A:2-12  
22A:2-13  
22A:2-15  
22A:2-37

Copy 2

(Civil cases fees increased)

Related bills introduced, 1967-1970:

1968 - A581 (Coleman & others)  
1969 - A722 (Rinaldi & others)  
Bill had statement (copy enclosed)

L. 1970, Chapter 107 - A983  
Introduced April 23 by Thomas, Pfaltz, Cafiero & others.  
No statement.  
Not amended during passage.

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# ASSEMBLY, No. 983

## STATE OF NEW JERSEY

INTRODUCED APRIL 23, 1970

By Assemblymen THOMAS, PFALTZ, CAFIERO, POLICASTRO,  
SHUSTED, COSTA, VOLK and FIORE

(Without Reference)

AN ACT concerning fees in civil cases in the courts and amending sections 22A:2-6, 22A:2-12, 22A:2-13, 22A:2-15 and 22A:2-37 of the New Jersey Statutes.

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

1 1. N. J. S. 22A:2-6 is amended to read as follows:

2 22A:2-6. Upon the filing or entering of the first paper or proceed-  
3 ing in any action or proceeding in the Law Division of the Superior  
4 Court, the plaintiff shall pay to the clerk **[\$50.00]** \$60.00 for the  
5 first paper filed by him, which shall cover all fees payable therein  
6 down to, and including entry of final judgment, taxation of costs,  
7 copy of costs and the issuance and recording of final process, except  
8 such as may be otherwise provided herein, or provided by law, or  
9 the rules of court. Of the **[\$50.00]** \$60.00 paid to the clerk, **[\$15.00]**  
10 \$25.00 shall be paid over by him to the treasurer of the county in  
11 which venue is laid for the use of the county. Any person other  
12 than the plaintiff filing any other paper in any such cause shall  
13 pay to the clerk **[\$20.00]** \$30.00 for the first paper filed by him.

1 2. N. J. S. 22A:2-12 is amended to read as follows:

2 22A:2-12. Upon the filing of the first paper in any action or  
3 proceeding in the Chancery Division of the Superior Court there  
4 shall be paid to the clerk of the court, for the use of the State, the  
5 following fees, which, except as hereinafter provided, shall con-  
6 stitute the entire fees to be collected by the clerk for the use of the  
7 State, down to the final disposition of the cause:

8 Receivership and partition, \$60.00;

9 For withdrawal of surplus and other moneys and assets deposited  
10 with the court where the sum or value of the asset to be withdrawn  
11 is less than \$10.00, no fee; where the sum or value is \$10.00 or more

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

12 but less than \$100.00, a fee of \$1.00; where such sum or value is  
 13 \$100.00 or more, a fee of \$25.00;

14 Application for permanent alimony; for withdrawal of mortgages  
 15 and other applications for relief filed subsequent to final judgment  
 16 \$25.00;

17 All other actions and proceedings except in probate cases  
 18 ~~[\$50.00]~~ \$60.00.

1 3. N. J. S. 22A:2-13 is amended to read as follows:

2 22A:2-13. Each person other than the plaintiff filing an answer-  
 3 ing pleading or other answering paper in the Chancery Division  
 4 of the Superior Court shall at the time of filing the first paper,  
 5 pay to the clerk the sum of ~~[\$20.00]~~ \$30.00; which shall cover all  
 6 fees payable therein except such as may be otherwise provided  
 7 herein or by law or the rules of court.

1 4. N. J. S. 22A:2-15 is amended to read as follows:

2 22A:2-15. For performing services in all probate proceedings  
 3 in the Superior Court, Chancery Division, there shall be paid to  
 4 the clerk of the court for the use of the State the following fees  
 5 which, except as hereinafter provided, shall constitute the entire  
 6 fees to be collected by the clerk for the use of the State, down to  
 7 the final disposition of the cause:

8 Each action upon the filing of the first paper in the action  
 9 ~~[\$50.00]~~ \$60.00.

10 Application for relief filed subsequent to final judgment, upon  
 11 the filing of the first paper, \$10.00.

#### ACCOUNTING

12 Auditing, stating, reporting and recording accounts of executors,  
 13 administrators, guardians, trustees, assignees, as follows:

14 In estates up to and including \$2,000.00, \$20.00;

15 In estates from \$2,000.00 to and including \$10,000.00, \$40.00;

16 In estates from \$10,000.00 to and including \$30,000.00, \$50.00;

17 In estates from \$30,000.00 to and including \$65,000.00, \$65.00;

18 In estates exceeding \$65,000.00,  $\frac{1}{10}$  of 1%;

19 For each page of accounting, in excess of one, \$1.00.

20 In computing the amount of an estate for the purpose of fixing  
 21 the fees of the Clerk of the Superior Court, for auditing and report-  
 22 ing the account, the balance from the prior account shall be  
 23 excluded.

24 No fees herein allowed shall be charged against the recipient of  
 25 any pension, bounty or allowance for services of the Clerk of the  
 26 Superior Court and Chancery Division of the Superior Court in  
 27 respect thereof, pursuant to sections 3A:29-1 to 3A:29-4 of the  
 28 New Jersey Statutes.

## COMMISSIONS ON DEPOSITS

29 On commissions on deposits, including any deposit made pursuant  
 30 to sections 31 and 32 of chapter 67, of the laws of 1948, if under  
 31 \$100.00,  $\frac{1}{2}$  of 1% of it; if over \$100.00 and under \$1,000.00,  $\frac{1}{4}$  of  
 32 1% on such excess, if over \$1,000.00,  $\frac{1}{8}$  of 1% of such excess.

## MISCELLANEOUS CHARGES

33 Filing an exemplified copy of a will or administration proceeding  
 34 from a foreign State, \$5.00;

35 Filing a caveat not in a pending cause, \$2.00;

36 Certificates, each \$1.00;

37 Subpœnas, each \$1.00;

38 Minimum charge for all other papers or services by the clerk,  
 39 \$1.00.

1 5. N. J. S. 22A:2-37 is amended to read as follows:

2 22A:2-37. In all civil actions and proceedings in the county dis-  
 3 trict court, the following fees shall be paid to the clerk:

4 Copy of proceedings or transcript of the same, per folio, \$0.20.

5 Instituting action without process where the amount claimed  
 6 does not exceed \$500.00, \$8.00.

7 Instituting action without process where the amount claimed  
 8 exceeds \$500.00, ~~[\$9.00]~~ \$10.00.

9 Filing a pleading stating a counterclaim, where the amount  
 10 claimed does not exceed \$500.00, \$7.00.

11 Filing a pleading stating a counterclaim, where the amount  
 12 claimed exceeds \$500.00, ~~[\$8.00]~~ \$9.00.

13 Execution, or an order in the nature of execution, on a judg-  
 14 ment, or execution against the body, for one defendant, \$2.50.

15 Execution against the body, each additional defendant, \$1.00.

16 Copy of execution, or other order, in the nature of execution,  
 17 \$0.50.

18 Mileage of constable in serving any summons, executions or  
 19 warrant against the body, the distance to be computed by count-  
 20 ing the number of miles, in and out, by the most direct route from  
 21 the place where process is issued, for every mile, \$0.10.

22 Summons, one defendant, where the amount does not exceed  
 23 \$500.00, \$7.60. For each additional defendant, \$0.40.

24 Summons, one defendant, where the amount exceeds \$500.00,  
 25 ~~[\$8.60]~~ \$10.00. For each additional defendant, \$0.40.

26 In tenancy, one defendant, \$7.10. For each additional defendant,  
 27 \$0.40.

28 In replevin, for service of summons, one defendant, where the  
 29 amount or value of goods does not exceed \$500.00, \$7.60. For each  
 30 additional defendant, \$0.40.

31 In replevin, for service of summons, one defendant, where the

32 amount or value of goods exceeds \$500.00, ~~[\$8.60]~~ \$10.00. For each  
33 additional defendant, \$0.40.

34 In replevin, where writ is served with summons, one defendant,  
35 where the amount or value of goods does not exceed \$500.00, \$9.50.  
36 For each additional defendant, \$0.40.

37 In replevin, where writ is served with summons, one defend-  
38 ant, where the amount or value of goods exceeds \$500.00, ~~[\$10.50]~~  
39 \$12.00. For each additional defendant, \$0.40.

40 In replevin, where writ is issued subsequent to service of sum-  
41 mons, \$7.50.

42 Summons in third party complaints, one defendant, where the  
43 amount does not exceed \$500.00, \$7.60. For each additional de-  
44 fendant, \$0.40.

45 Summons in third party complaints, one defendant, where the  
46 amount exceeds \$500.00, ~~[\$8.60]~~ \$10.00. For each additional de-  
47 fendant, \$0.40.

48 Actions instituted by capias or warrant to arrest, one defendant,  
49 where the amount does not exceed \$500.00, \$7.85. For each addi-  
50 tional defendant, \$1.00. Copy of warrant to arrest, \$0.50.

51 Actions instituted by capias or warrant to arrest, one defend-  
52 ant, where the amount exceeds \$500.00, ~~[\$8.85]~~ \$10.00. For each  
53 additional defendant, \$1.00. Copy of warrant to arrest, \$0.50.

54 Certificate of judgment, \$1.00.

55 Jury of six men, ~~[\$8.50]~~ \$15.00.

56 Jury of 12 men, ~~[\$14.00]~~ \$30.00.

57 Capias, warrant to arrest, or commitment, one defendant, \$3.35.  
58 For each additional defendant, \$1.00.

59 Warrant for possession in tenancy, \$4.00.

60 Writ of attachment, where the amount does not exceed \$500.00,  
61 \$8.85.

62 Writ of attachment, where the amount exceeds \$500.00, ~~[\$9.85]~~  
63 \$10.00.

64 Certifying statement of judgment for docketing in the Superior  
65 or County Court, \$1.00.

66 Certifying statement of judgment on mechanic's lien for docket-  
67 ing, \$1.00.

68 Restoring case marked not moved, \$1.00.

69 Vacating default, \$1.00.

70 Except as specifically provided for herein, there shall be no  
71 charge for any order up until the time of final judgment. After  
72 final judgment orders for warrants, orders to show cause, discovery  
73 or any other order not specifically provided for herein the clerk  
74 shall charge the sum of \$1.00.

1 6. This act shall take effect July 1, 1970.

FISCAL NOTE TO  
**ASSEMBLY, No. 983**

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**STATE OF NEW JERSEY**

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DATED: APRIL 27, 1970

Assembly Bill No. 983 increases court filing fees in civil cases and amends certain sections of the New Jersey Statutes.

The Administrative Office of the Courts estimates that enactment of this legislation would produce an additional revenue to the State of \$815,000.00 and to the collective county governments of \$718,000.00 per year.

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In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

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CHAPTER / 24 LAWS OF N. J. 19 68

APPROVED 6-26-68  
[OFFICIAL COPY REPRINT]

ASSEMBLY, No. 581

STATE OF NEW JERSEY

INTRODUCED APRIL 1, 1968

By Assemblymen COLEMAN, FONTANELLA, PARKER,  
RINALDI, WILSON, CAPUTO and FERRARA

Referred to Committee on Judiciary

AN ACT concerning fees in civil cases in the courts and amending sections 22A :2-6, 22A :2-12, 22A :2-13 \***[and]**\* \*, \* 22A :2-15 \*and 22A :4-15\* of the New Jersey Statutes (P. L. 1953, c. 22).

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

1 1. Section 22A :2-6 of the New Jersey Statutes (P. L. 1953, c. 22)  
2 is amended to read as follows:

3 22A :2-6. Upon the filing or entering of the first paper or pro-  
4 ceeding in any action or proceeding in the Law Division of the  
5 Superior Court, the plaintiff shall pay to the clerk **[\$35.00]** \$50.00  
6 for the first paper filed by him, which shall cover all fees payable  
7 therein down to, and including entry of final judgment, taxation  
8 of costs, copy of costs and the issuance and recording of final pro-  
9 cess, except such as may be otherwise provided herein, or provided  
10 by law, or the rules of court. *Of the \$50.00 paid to the clerk, \$15.00*  
11 *shall be paid over by him to the treasurer of the county in which*  
12 *venue is laid for the use of the county.* Any person other than the  
13 plaintiff filing any other paper in any such cause shall pay to the  
14 clerk **[\$10.00]** \$20.00 for the first paper filed by him.

1 2. Section 22A :2-12 of the New Jersey Statutes (P. L. 1953,  
2 c. 22) is amended to read as follows:

3 22A :2-12. Upon the filing of the first paper in any action or  
4 proceeding in the Chancery Division of the Superior Court there  
5 shall be paid to the clerk of the court, for the use of the State,  
6 the following fees, which, except as hereinafter provided, shall con-  
7 stitute the entire fees to be collected by the clerk for the use of the  
8 State, down to the final disposition of the cause:

9 Receivership and partition, **[\$45.00]** \$60.00;

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

10 For withdrawal of surplus and other moneys and assets depos-  
 11 ited with the court where the sum or value of the asset to be with-  
 12 drawn is less than \$10.00, no fee; where the sum or value is \$10.00  
 13 or more but less than \$100.00, a fee of \$1.00; where such sum or  
 14 value is \$100.00 or more, a fee of ~~[\$15.00]~~ \$25.00;

15 Application for permanent alimony; for withdrawal of mort-  
 16 gages and other applications for relief filed subsequent to final  
 17 judgment ~~[\$15.00]~~ \$25.00;

18 All other actions and proceedings except in probate cases ~~[\$35.00]~~  
 19 \$50.00.

1 3. Section 22A:2-13 of the New Jersey Statutes (P. L. 1953,  
 2 c. 22) is amended to read as follows:

3 22A:2-13. Each person other than the plaintiff filing an answer-  
 4 ing pleading or other answering paper in the Chancery Division  
 5 of the Superior Court shall at the time of filing the first paper, pay  
 6 to the clerk the sum of ~~[\$10.00]~~ \$20.00; which shall cover all fees  
 7 payable therein except such as may be otherwise provided herein  
 8 or by law or the rules of court.

1 4. Section 22A:2-15 of the New Jersey Statutes (P. L. 1953,  
 2 c. 22) is amended to read as follows:

3 For performing services in all probate proceedings in the Supe-  
 4 rior Court, Chancery Division, there shall be paid to the clerk of  
 5 the court for the use of the State the following fees which, except  
 6 as hereinafter provided, shall constitute the entire fees to be col-  
 7 lected by the clerk for the use of the State, down to the final dis-  
 8 position of the cause:

9 Each action upon the filing of the first paper in the action ~~[\$35.00]~~  
 10 \$50.00.

11 Application for relief filed subsequent to final judgment, upon  
 12 the filing of the first paper, \$10.00.

### 13 ACCOUNTING

14 Auditing, stating, reporting and recording accounts of executors,  
 15 administrators, guardians, trustees, assignees, as follows:

16 In estates up to and including \$2,000.00, \$20.00;

17 In estates from \$2,000.00 to and including \$10,000.00, \$40.00;

18 In estates from \$10,000.00 to and including \$30,000.00, \$50.00;

19 In estates from \$30,000.00 to and including \$65,000.00, \$65.00;

20 In estates exceeding \$65,000.00, 1/10 of 1%;

21 For each page of accounting, in excess of one, \$1.00.

22 In computing the amount of an estate for the purpose of fixing  
 23 the fees of the Clerk of the Superior Court, for auditing and re-  
 24 porting the account, the balance from the prior account shall be  
 25 excluded.



26 No fees herein allowed shall be charged against the recipient of  
 27 any pension, bounty or allowance for services of the Clerk of the  
 28 Superior Court and Chancery Division of the Superior Court in  
 29 respect thereof, pursuant to sections 3A :29-1 to 3A :29-4 of the New  
 30 Jersey Statutes.

### 31 COMMISSIONS ON DEPOSITS

32 On commissions on deposits, including any deposit made pur-  
 33 suant to sections 31 and 32 of chapter 67, of the laws of 1948, if  
 34 under \$100.00,  $\frac{1}{2}$  of 1% of it; if over \$100.00 and under \$1,000.00,  
 35  $\frac{1}{4}$  of 1% on such excess if over \$1,000.00,  $\frac{1}{8}$  of 1% of such excess.

### 36 MISCELLANEOUS CHARGES

37 Filing an exemplified copy of a will or administration proceeding  
 38 from a foreign State, \$5.00;

39 Filing a caveat not in a pending cause, \$2.00;

40 Certificates, each \$1.00;

41 Subpœnas, each \$1.00;

42 Minimum charge for all other papers or services by the clerk,  
 43 \$1.00.

1 5. Section 22A :4-15 of the New Jersey Statutes (P. L. 1953, c. 22)  
 2 is amended to read as follows:

3 22A :4-15. **[All]** *Except as otherwise provided by statute fees,*  
 4 *costs, allowances, percentages and other perquisites of whatsoever*  
 5 *kind which the Clerk of the Supreme Court and the Clerk of the*  
 6 *Superior Court, as such, and as clerk of the respective courts, and*  
 7 *their office assistants are allowed by law to charge and receive for*  
 8 *official acts or services they may render, shall be for the sole use*  
 9 *of the State as public money, to be regularly accounted for and*  
 10 *paid over as hereinafter set forth.*

11 The Clerk of the Supreme Court and the Clerk of the Superior  
 12 Court shall on the tenth day of each month, render a full and item-  
 13 ized statement of account and return to the Director of the Division  
 14 of Budget and Accounting of all such sums received by them or  
 15 their assistants and of all sums which may have been charged or  
 16 taxed, or which may have accrued or become payable for services  
 17 during the month preceding the making of such statement. The  
 18 statement of account shall be made under oath in such form as the  
 19 said director shall specify and shall be filed in his office to be forth-  
 20 with audited by him and kept as a public record.

21 All such fees, costs, allowances, percentages and other perqui-  
 22 sites shall be paid to the State Treasurer on or before the tenth  
 23 day of each month, and whether collected or not, such officers shall  
 24 be personally liable therefor.

25 The penalty for each day's neglect of any such officer in rendering  
26 his account or in paying over such money to the State Treasurer  
27 shall be \$100.00, to be recovered in the name of the State in a civil  
28 action in the Superior Court, and said clerks may also be proceeded  
29 against by proceeding in lieu of prerogative writ.

1 6. This act shall take effect July 1, 1968.

ASSEMBLY, No. 581

STATE OF NEW JERSEY

INTRODUCED APRIL 1, 1968

By Assemblymen COLEMAN, FONTANELLA, PARKER,  
RINALDI, WILSON, CAPUTO and FERRARA

Referred to Committee on Judiciary

AN ACT concerning fees in civil cases in the courts and amending sections 22A:2-6, 22A:2-12, 22A:2-13 and 22A:2-15 of the New Jersey Statutes (P. L. 1953, c. 22).

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4 ceeding in any action or proceeding in the Law Division of the  
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6 for the first paper filed by him, which shall cover all fees payable  
7 therein down to, and including entry of final judgment, taxation  
8 of costs, copy of costs and the issuance and recording of final pro-  
9 cess, except such as may be otherwise provided herein, or provided  
10 by law, or the rules of court. *Of the \$50.00 paid to the clerk, \$15.00*  
11 *shall be paid over by him to the treasurer of the county in which*  
12 *venue is laid for the use of the county.* Any person other than the  
13 plaintiff filing any other paper in any such cause shall pay to the  
14 clerk **[\$10.00]** *\$20.00* for the first paper filed by him.

1 2. Section 22A:2-12 of the New Jersey Statutes (P. L. 1953,  
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3 22A:2-12. Upon the filing of the first paper in any action or  
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7 stitute the entire fees to be collected by the clerk for the use of the  
8 State, down to the final disposition of the cause:

9 Receivership and partition, **[\$45.00]** *\$60.00*;

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

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 11 ited with the court where the sum or value of the asset to be with-  
 12 drawn is less than \$10.00, no fee; where the sum or value is \$10.00  
 13 or more but less than \$100.00, a fee of \$1.00; where such sum or  
 14 value is \$100.00 or more, a fee of ~~[\$15.00]~~ \$25.00;

15 Application for permanent alimony; for withdrawal of mort-  
 16 gages and other applications for relief filed subsequent to final  
 17 judgment ~~[\$15.00]~~ \$25.00;

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1 3. Section 22A:2-13 of the New Jersey Statutes (P. L. 1953,  
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 4 rior Court, Chancery Division, there shall be paid to the clerk of  
 5 the court for the use of the State the following fees which, except  
 6 as hereinafter provided, shall constitute the entire fees to be col-  
 7 lected by the clerk for the use of the State, down to the final dis-  
 8 position of the cause:

9 Each action upon the filing of the first paper in the action ~~[\$35.00]~~  
 10 \$50.00.

11 Application for relief filed subsequent to final judgment, upon  
 12 the filing of the first paper, \$10.00.

### 13 ACCOUNTING

14 Auditing, stating, reporting and recording accounts of executors,  
 15 administrators, guardians, trustees, assignees, as follows:

16 In estates up to and including \$2,000.00, \$20.00;

17 In estates from \$2,000.00 to and including \$10,000.00, \$40.00;

18 In estates from \$10,000.00 to and including \$30,000.00, \$50.00;

19 In estates from \$30,000.00 to and including \$65,000.00, \$65.00;

20 In estates exceeding \$65,000.00, 1/10 of 1%;

21 For each page of accounting, in excess of one, \$1.00.

22 In computing the amount of an estate for the purpose of fixing  
 23 the fees of the Clerk of the Superior Court, for auditing and re-  
 24 porting the account, the balance from the prior account shall be  
 25 excluded.

26 No fees herein allowed shall be charged against the recipient of  
 27 any pension, bounty or allowance for services of the Clerk of the  
 28 Superior Court and Chancery Division of the Superior Court in  
 29 respect thereof, pursuant to sections 3A :29-1 to 3A :29-4 of the New  
 30 Jersey Statutes.

31 COMMISSIONS ON DEPOSITS

32 On commissions on deposits, including any deposit made pur-  
 33 suant to sections 31 and 32 of chapter 67, of the laws of 1948, if  
 34 under \$100.00,  $\frac{1}{2}$  of 1% of it; if over \$100.00 and under \$1,000.00,  
 35  $\frac{1}{4}$  of 1% on such excess if over \$1,000.00,  $\frac{1}{8}$  of 1% of such excess.

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37 Filing an exemplified copy of a will or administration proceeding  
 38 from a foreign State, \$5.00;

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40 Certificates, each \$1.00;

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42 Minimum charge for all other papers or services by the clerk,  
 43 \$1.00.

1 5. Section 22A :4-15 of the New Jersey Statutes (P. L. 1953, c. 22)  
 2 is amended to read as follows:

3 22A :4-15. **[All]** *Except as otherwise provided by statute fees,*  
 4 *costs, allowances, percentages and other perquisites of whatsoever*  
 5 *kind which the Clerk of the Supreme Court and the Clerk of the*  
 6 *Superior Court, as such, and as clerk of the respective courts, and*  
 7 *their office assistants are allowed by law to charge and receive for*  
 8 *official acts or services they may render, shall be for the sole use*  
 9 *of the State as public money, to be regularly accounted for and*  
 10 *paid over as hereinafter set forth.*

11 The Clerk of the Supreme Court and the Clerk of the Superior  
 12 Court shall on the tenth day of each month, render a full and item-  
 13 ized statement of account and return to the Director of the Division  
 14 of Budget and Accounting of all such sums received by them or  
 15 their assistants and of all sums which may have been charged or  
 16 taxed, or which may have accrued or become payable for services  
 17 during the month preceding the making of such statement. The  
 18 statement of account shall be made under oath in such form as the  
 19 said director shall specify and shall be filed in his office to be forth-  
 20 with audited by him and kept as a public record.

21 All such fees, costs, allowances, percentages and other perqui-  
 22 sites shall be paid to the State Treasurer on or before the tenth  
 23 day of each month, and whether collected or not, such officers shall  
 24 be personally liable therefor.

25 The penalty for each day's neglect of any such officer in rendering  
26 his account or in paying over such money to the State Treasurer  
27 shall be \$100.00, to be recovered in the name of the State in a civil  
28 action in the Superior Court, and said clerks may also be proceeded  
29 against by proceeding in lieu of prerogative writ.

1 6. This act shall take effect July 1, 1968.

FISCAL NOTE TO  
**ASSEMBLY, No. 581**

---

**STATE OF NEW JERSEY**

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DATED: APRIL 25, 1968

Assembly Bill No. 581 is an act that would raise the filing fees in civil cases in the courts. It is a companion measure to Assembly Bill No. 580.

The Judiciary Department states that if Assembly Bill No. 581 were enacted, \$687,370.00 would accrue to the State in 1968-69 and \$728,612.00 in 1969-70. The department further states that \$740,000.00 would accrue to the counties the first year this bill becomes operative. This is based on the number of filings during the 1966-67 court year. The anticipated \$740,000.00 is considered sufficient to insure that virtually no financial burden would result to the counties by enactment of this bill's companion measure, Assembly Bill No. 580.

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In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

ASSEMBLY COMMITTEE AMENDMENT TO  
**ASSEMBLY, No. 581**

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**STATE OF NEW JERSEY**  
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ADOPTED JUNE 17, 1968

Amend page 1, title, line 2, "after 22A:2-13", omit "and", insert a comma; after "22A:2-15", insert "and 22A:4-15".



ASSEMBLY, No. 722

STATE OF NEW JERSEY

INTRODUCED MARCH 24, 1969

By Assemblymen RINALDI, FIORE, WILSON, DENNIS, KEAN,  
KALTENBACHER and CAPUTO

Referred to Committee on Judiciary

AN ACT concerning fees in civil cases in the courts and amending sections 22A:2-6, 22A:2-7, and 22A:2-12 of the New Jersey Statutes.

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

1 1. Section 22A:2-6 of the New Jersey Statutes is amended to  
2 read as follows:

3 22A:2-6. Upon the filing or entering of the first paper or proceed-  
4 ing in any action or proceeding in the Law Division of the Superior  
5 Court, the plaintiff shall pay to the clerk \$50.00 for the first paper  
6 filed by him, which shall cover all fees payable therein down to, and  
7 including entry of final judgment, taxation of costs, copy of costs  
8 and the issuance and recording of final process, except such as  
9 may be otherwise provided herein, or provided by law, or the rules  
10 of court. Of the \$50.00 paid to the clerk, **[\$15.00]** \$25.00 shall be  
11 paid over by him to the treasurer of the county in which venue is  
12 laid for the use of the county. Any person other than the plaintiff  
13 filing any other paper in any such cause shall pay to the clerk  
14 \$20.00 for the first paper filed by him.

1 2. Section 22A:2-7 of the New Jersey Statutes is amended to  
2 read as follows:

3 22A:2-7. Upon the filing, entering, docketing or recording of the  
4 following papers, documents or proceedings by either party to any  
5 action or proceeding in the Law Division of the Superior Court, the  
6 party or parties filing, entering, docketing or recording the same  
7 shall pay to the clerk of said court the following fees:

8 Filing of the first paper in any motion, petition or application,  
9 if not in a pending action or proceeding under section 22A:2-6 of  
10 this Title, or if made after dismissal or judgment entered, the

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

11 moving party shall pay ~~[\$3.00]~~ \$5.00 which shall cover all fees  
 12 payable on such motion, petition or application down to and in-  
 13 cluding filing and entering of order therein and taxation of costs.

14 Entering judgment on bond and warrant by attorney and issuance  
 15 of one final process, \$15.00 in lieu of the fee required by section  
 16 22A:2-6 of this Title.

17 Docketing judgments or orders from other courts or divisions,  
 18 \$2.00.

19 Satisfaction of judgment or other lien, \$1.00.

20 Recording assignment of judgment or release, \$2.00.

21 Issuing of executions and recording same, except as otherwise  
 22 provided in this article, \$2.00.

23 Recording of instruments not otherwise provided for in this  
 24 article, \$2.00.

25 Filing and entering recognizance of civil bail, \$2.00.

26 Signing and issuing subpoena, \$1.00.

1 3. Section 22A:2-12 of the New Jersey Statutes is amended to  
 2 read as follows:

3 22A:2-12. Upon the filing of the first paper in any action or pro-  
 4 ceeding in the Chancery Division of the Superior Court there shall  
 5 be paid to the clerk of the court, for the use of the State, the follow-  
 6 ing fees, which, except as hereinafter provided, shall constitute the  
 7 entire fees to be collected by the clerk for the use of the State, down  
 8 to the final disposition of the cause:

9 Receivership and partition, \$60.00;

10 For withdrawal of surplus and other moneys and assets deposited  
 11 with the court where the sum or value of the asset to be withdrawn  
 12 is less than \$10.00, no fee; where the sum or value is \$10.00 or  
 13 more but less than \$100.00, a fee of \$1.00; where such sum or value  
 14 is \$100.00 or more, a fee of ~~[\$25.00]~~ \$5.00;

15 ~~Application for permanent alimony; for withdrawal of mort-~~  
 16 ~~gages and other] A motion, petition or other application[s] for~~  
 17 relief filed subsequent to final judgment ~~[\$25.00;]~~ \$5.00, which shall  
 18 cover all fees payable on such motions, petitions or applications  
 19 including filing and entering of orders thereon, taxation of costs  
 20 and issuance of execution.

21 All other actions and proceedings except in probate cases \$50.00.

1 4. This act shall take effect immediately.

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#### STATEMENT

This bill is intended to increase, from \$15.00 to \$25.00, the re-  
 quired payment made to counties upon filing the first paper in an  
 action or proceeding in the Law Division of the Supreme Court.

Based upon the volume of litigation during a representative 4-month period of the current calendar year, it is anticipated that the bill will provide the counties with an additional annual revenue of \$418,000. Revenue to the State will be reduced by a corresponding amount.

Amendment is also made of fees in certain Chancery Division actions so that inequities can be eliminated. Furthermore, to achieve uniformity, there shall be an increase in filing fees from \$3.00 to \$5.00 in connection with certain motions, petitions, or applications in the Law Division, and a corresponding reduction of similar fees in the Chancery Division. It is anticipated that the State will not suffer any loss of revenue as a result thereof.