

22A: 2-25

LEGISLATIVE HISTORY CHECKLIST

(Superior Court--
fees--increase)

WASA 22A:2-25; 22A:2-29; 22A:4-4.1

LAWS OF 1980 CHAPTER 58

Bill No. S1017

Sponsor(s) Dwyer, Weiss and Hamilton

Date Introduced February 11, 1980

Committee: Assembly Judiciary, Law, Public Safety and Defense
Senate Judiciary

Amended during passage Yes Amendments during passage denoted by asterisks
Date of Passage: Assembly May 5, 1980
Senate April 14, 1980
Date of approval July 1, 1980

Following statements are attached if available:

Sponsor statement	Yes	<input checked="" type="checkbox"/>	(Below)
Committee Statement:	Assembly	Yes	<input checked="" type="checkbox"/>
	Senate	Yes	<input checked="" type="checkbox"/>
Fiscal Note		<input checked="" type="checkbox"/>	No
Veto message		<input checked="" type="checkbox"/>	No
Message on signing		<input checked="" type="checkbox"/>	No
Following were printed:			
Reports		<input checked="" type="checkbox"/>	No
Hearings		<input checked="" type="checkbox"/>	No

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Sponsor's statement:
This bill increases the fees for filing and recording of various papers and documents in the county clerks offices. There fees were established last in 1965. Costs have risen more than 100% since that time and the increases are necessary to generate revenues to keep pace with those cost increases.

9/1/78
pf

7-1-80

[SECOND OFFICIAL COPY REPRINT]

SENATE, No. 1017

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 11, 1980

By Senators DWYER, WEISS and HAMILTON

Referred to Committee on Judiciary

AN ACT concerning fees and costs to be charged and collected by county clerks or deputy clerks of the Superior Court and registers of deeds and mortgages and amending sections 22A:2-25 and 22A:2-29 of the New Jersey Statutes and section 2 of P. L. 1965, c. 123.

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 [County] Superior Court,
6 other than a civil action in which a summons or writ must be issued,
7 he shall pay the *deputy* clerk of the court the following fees:

8 Entering of complaint or first paper of any action or proceeding,
9 **[\$3.00]** \$6.00.

10 Filing complaint, **[\$1.00]** \$2.00.

11 Filing answer or appearance, **[\$2.00]** \$4.00.

12 Filing any other pleading, any amended pleading or any amend-
13 ment to a pleading, **[\$1.00]** \$2.00.

14 Filing and entering each order or judgment of court, including
15 order to show cause, **[\$2.00]** \$4.00.

16 **[Filing and entering stipulation, \$0.50.**

17 Filing affidavit, \$0.25.

18 Filing notice, \$0.25.

19 Filing interrogatories, \$1.00.

20 Filing demand for security of costs, \$0.25.

21 Filing consent, \$0.25.

22 Filing and entering substitution of attorney, **\$0.75.]**

23 Filing and entering a voluntary dismissal, either by stipulation
24 or order of court, **[\$2.50]** \$5.00.

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

- 25 Filing notice of appeal **[from County Court, \$5.00]** *\$10.00.*
- 26 **[Filing and entering proof of publication, \$0.25.**
- 27 Filing award, \$0.50.
- 28 Filing report on street improvements, \$1.00.]
- 29 ***[Filing plea of not guilty by mail, \$5.00.]***
- 30 Filing proceedings or papers on appeal, **[\$2.00]** *\$4.00.*
- 31 **[Filing findings and determination of the court, \$2.00.]**
- 32 *Filing first paper on petition for expungement, \$15.00.*
- 33 Filing any other paper or document not herein stated, **[\$0.25]**
- 34 *\$3.00.*
- 35 Signing and sealing habeas corpus, **[\$3.00]** *\$5.00.*
- 36 Signing and issuing subpoenas, **[\$0.50]** *\$1.00.*
- 37 **[Entering verdict, \$0.50.**
- 38 Taking verdict, \$0.25.
- 39 Swearing witnesses, \$0.10.
- 40 Marking exhibits, \$0.10.
- 41 Taxing costs, \$1.25.
- 42 Clerk's certificate to certified copy, \$1.00.
- 43 In the trial of every case the sum of \$2.00.
- 44 For the signing of every judgment, \$0.50.]
- 1 2. 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 **[law division of the County]** *Superior* Court,
- 5 such parties, filing or having the same recorded or indexed in the
- 6 county clerk's office or with the *deputy* clerk of the **[law division**
- 7 **of the County]** *Superior* Court **[of]** *in* the various counties in this
- 8 State shall pay the following fees in lieu of the fees heretofore
- 9 provided for the filing, recording or entering of such documents
- 10 or papers.
- 11 In general—
- 12 Issuing county clerk's certificate, any instrument **[\$1 00]** *\$2 00*
- 13 Comparing and making copies, per sheet **[1 00]** *2 00*
- 14 Copies of all papers, typing and comparing of
- 15 photostat, per page **[1 00]** *1 00*
- 16 Marking as a true copy, any instrument **[1 00]** *1 00*
- 17 Exemplification, any instrument **[3 00]** *5 00*
- 18 Plus \$1.00 per page of instrument.
- 19 Recording or filing all instruments not herein
- 20 stated **[5 00]** *5 00*
- 21 Bonds, bail, recognizances—
- 22 Recording all official bonds with acknowledgment
- 23 and proof of the execution thereof **[3 00]** *6 00*

24	Filing and entering recognizances or civil bail . . .	[3 00]	6 00
25	Filing discharge, attachment bond	[3 00]	6 00
26	Filing satisfaction or order discharging recogni-		
27	zance or civil bail	[3 00]	6 00
28	Filing and recording filiation bond	[3 00]	6 00
29	Filing satisfaction of or order discharging filia-		
30	tion bond	[3 00]	6 00
31	Recording or discharging sheriff's bonds	[3 00]	6 00
32	[Corporations and trade-names—		
33	Business corporations, recording:		
34	Certificates of incorporation (3 sheets or less) .	5 00	
35	Certificates of incorporation (each sheet over		
36	3)	1 00]	
37	Nonbusiness corporation, recording:		
38	Certificates of incorporation of corporations		
39	and associations not for profit, and of		
40	societies, clubs, credit unions, churches,		
41	religious societies and congregations	[5 00]	10 00
42	Amendments to certificates of incorporation,		
43	all corporations, recording	[5 00]	10 00
44	All other corporate, certificates, recording	[3 00]	6 00
45	Bank merger agreements, recording:		
46	Three sheets or less	[5 00]	10 00
47	Each sheet over 3	[1 00]	2 00
48	Certificates, each	[1 00]	2 00
49	Trade-names, firms, partnerships:		
50	Certificate of name, filing (See R. S. 56:1-1		
51	et seq.)	[10 00]	20 00
52	Certificate of dissolution of trade-name (see		
53	R. S. 56:1-6 et seq.)	[2 00]	6 00
54	Bottles, et cetera, description (see R. S.		
55	56:3-14 et seq.)	[1 50]	3 00
56	Building and Loan or Savings and Loan		
57	Associations:		
58	Change of name	[5 00]	10 00
59	Dissolution	[3 00]	6 00
60	Certificates for limited-dividend housing		
61	associations, recording	[5 00]	10 00
62	Certificates for urban renewal associations,		
63	recording	[5 00]	10 00
64	Judgments, et cetera--		
65	Recording judgments	[3 00]	6 00

66	Filing, entering and recording judgment on bond		
67	and warrant by attorney	[15 00]	25 00
68	[Docketing, recording and filing docketed judg-		
69	ments	3 00]	
70	Certificate for docketing Superior Court trans-		
71	cript	[3 00]	6 00
72	Recording assignments of judgments	[5 00]	10 00
73	[Issuing certificates of judgment	1 00]	
74	Issuing transcript of judgments	[2 50]	5 00
75	[Issuing certificate or order for costs	3 00]	
76	Filing or entering on the record of discharge,		
77	cancellation, release or satisfaction of a judg-		
78	ment by satisfaction piece, execution returned		
79	satisfied or otherwise	[1 00]	5 00
80	For recording and indexing postponement of the		
81	lien of judgments	[5 00]	10 00
82	Execution on judgment:		
83	Drawing execution	[3 00]	6 00
84	Recording execution	[3 00]	6 00
85	Warrant for satisfaction	[2 00]	4 00
86	Writ of possession	[3 00]	6 00
87	Writ of sequestration	[3 00]	6 00
88	Discharge of writ	[3 00]	6 00
89	Mandate	[5 00]	10 00
90	Liens—		
91	Filing, indexing and recording mechanic's lien		
92	claim	[3 00]	6 00
93	Recording, filing and noting on the record the dis-		
94	charge, release or satisfaction of a mechanic's		
95	lien claim	[3 00]	6 00
96	Extension of lien claim	[1 00]	2 00
97	Filing statement of county district court judg-		
98	ment in mechanic's lien proceeding	[3 00]	6 00
99	Filing, recording and indexing mechanic's notice		
100	of intention	[1 00]	3 00
101	Filing a certificate discharging a mechanic's		
102	notice of intention and noting the discharge on		
103	the record thereof	[1 00]	3 00
104	Filing certificate from court of commencement		
105	of suit	[1 00]	3 00
106	Filing a court order amending a mechanic's		
107	notice of intention	[3 00]	6 00
108	Filing, recording and indexing stop notices	[1 00]	3 00

109	Filing a certificate discharging a stop notice and		
110	noting the discharge on the record thereof	[1 00]	3 00
111	Filing a court order discharging a stop notice		
112	and noting the discharge on the record thereof	[3 00]	6 00
113	Filing building contract	[2 00]	10 00
114	Filing building specifications	[1 00]	5 00
115	Filing building plans	[1 00]	5 00
116	Filing each notice of physician's lien	[1 00]	3 00
117	Entering upon the record the discharge of a		
118	physician's lien	[1 00]	3 00
119	Filing each hospital lien claim	[1 00]	3 00
120	Discharge of hospital lien	[1 00]	3 00
121	Filing satisfaction or order for discharge of		
122	attachment	[3 00]	6 00
123	Recording collateral inheritance waiver or receipt	[3 00]	6 00
124	Recording inheritance tax waiver	[3 00]	6 00
125	Subordination, release, partial release or post-		
126	ponement of a lien to lien of mortgage	[2 00]	5 00
127	Commissions and oaths—		
128	Administering oaths to notaries public and com-		
129	missioners of deeds	[3 00]	5 00
130	For issuing certificate of authority of notary to		
131	take proof, acknowledgment of affidavit	[1 00]	2 00
132	For issuing each certificate of the commission		
133	and qualification of notary public for filing		
134	with other county clerks	[2 00]	4 00
135	For filing each certificate of the commission and		
136	qualification of notary public, in office of county		
137	clerk of county other than where such notary		
138	has qualified	[2 00]	4 00
139	Miscellaneous—		
140	Filing and recording proceedings for laying out,		
141	vacating or dedicating roads	[5 00]	10 00
142	Change of name (recording and filing all pro-		
143	ceedings)	[15 00]	30 00
144	Recording firemen's certificates		No charge
145	Registering physician	[3 00]	10 00
146	Registering nurses		2 00
147	Weapons, filing:		
148	License to sell		3 00
149	Permit to purchase		3 00
150	Permit to carry concealed		3 00
151	Renewal, permit to carry concealed		3 00

152	Tax sale certificate, redemption of recording . . .	3 00】
153	<i>Issuing alcoholic beverage identification card . . .</i>	4 00
1	3. 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	
4	counties having such office, shall charge for the services herein	
5	enumerated the following fees:	
		Fee
6	For recording veteran's discharge papers	No fee
7	For recording any instrument:	
8	First page	【\$5.00】 \$10.00
9	Each additional page or part thereof	\$1.00
10	Each rider, insertion addition, or any map, plat or sketch	
11	filed or recorded pursuant to paragraph (e) of section	
12	2 of P. L. 1957, chapter 130	\$1.00
13	For entering the marginal notation of an order, judgment,	
14	statement or warrant discharging annulling a notice of	
15	lis pendens and for filing such order, judgment or state-	
16	ment	\$2.00
17	For preparing and transmitting to the assessor, collector,	
18	or other custodian of the assessment map of any taxing	
19	district, the abstract of an instrument evidencing title	
20	to realty	\$2.00
21	For entering the marginal notation of a 【cancellation,】 dis-	
22	charge or release of a New Jersey building and loan or	
23	savings and loan mortgage and forwarding abstract . . .	\$2.00
24	For entering the marginal notation of a discharge, 【cancellat-	
25	ion,】 assignment, postponement or release of a mortgage,	
26	other than building and loan and savings and loan	
27	mortgages	\$2.00
28	<i>For the cancellation of any mortgage</i>	<i>\$5.00</i>
29	【For filing and entering statement of satisfaction of condi-	
30	tional sale and noting the cancellation of the contract	
31	and date thereof on the margin of the page upon which	
32	the contract was entered	\$1.00】
33	*【For every receipt	\$0.25】*
34	For a marginal notation of the discharge of a mortgage in	
35	counties where mortgages are indexed under a system	
36	requiring a duplication of indices and description	\$2.00
37	For filing and recording notices of Federal tax liens or	
38	certificates discharging such liens	【\$3.00】 \$5.00
39	For filing each map, plat, plan or chart (except when pre-	
40	sented by the State or its agencies or filed pursuant to	

41	paragraph (c) of section 2 of P. L. 1957, [chapter] c. 130	
42	(C. 48:3-17.3)	[\$6.00] \$12.00
43	For recording tax sale certificate or a	[\$3.00]
44	redemption or assignment of tax sale certificate, first	
45	page	\$10.00
46	each additional page or part thereof	\$1.00
47	[Recording redemption or assignment of sales	\$3.00]
48	Certified copy of veteran's discharge	\$0.50
49	For indexing any recorded instrument in excess of 10	
50	parties, per each name in excess of 10	\$0.20
1	4. This act shall take effect **[immediately]** **July 1, 1980**.	

ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND
DEFENSE COMMITTEE

STATEMENT TO

SENATE, No. 1017

[OFFICIAL COPY REPRINT]

with Assembly committee amendment

STATE OF NEW JERSEY

DATED: APRIL 28, 1980

The basic purpose of Senate Bill No. 1017 is to increase fees payable to county clerks in their capacity as deputy clerks of the Superior Court and the fees payable either to county clerks or the registers of deeds and mortgages, in counties having that office. Generally the increases proposed by Senate Bill No. 1017 represents a doubling in the amounts of the fees presently authorized, although in some cases the increase is higher. In addition to raising fees, Senate Bill No. 1017 eliminates some obsolete fees and establishes the following new fees: for filing first paper on petition for expungement, \$15.00; issuing alcoholic beverage identification cards, \$4.00; for indexing any recorded instrument in excess of 10 parties, per each name in excess of 10, \$0.20. These fees were last raised in 1965.

Committee amendment provides for a lead time before the new fees take effect, so that lawyers and the public can be advised of and can plan for the new fees.

SENATE JUDICIARY COMMITTEE

STATEMENT TO

SENATE, No. 1017

with Senate committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 25, 1980

The basic purpose of Senate Bill No. 1017 is to increase fees payable to county clerks in their capacity as deputy clerks of the Superior Court and the fees payable either to county clerks or the registers of deeds and mortgages, in counties having that office. Generally the increases proposed by Senate Bill No. 1017 represents a doubling in the amounts of the fees presently authorized, although in some cases the increase is higher. In addition to raising fees, Senate Bill No. 1017 eliminates some obsolete fees and establishes the following new fees: for filing first paper on petition for expungement, \$15.00; issuing alcoholic beverage identification cards, \$4.00; for indexing any recorded instrument in excess of 10 parties, per each name in excess of 10, \$0.20. These fees were last raised in 1965.