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CIVIL AND FAMILY CASES

FILING AND SERVICE FEES

EFFECTIVE
January 1, 2012

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HOW TO USE THE SCHEDULE OF COURT COSTS

This Schedule separates the fees for filing of pleadings; issuance of citations, notices and writs; and the service of process/issuance. To determine the amount of costs, please calculate:

$$\text{Applicable Filing Fee} + \text{Process Issuance Fee} + \text{Fee for Serving Process} = \text{Total Fee}$$

Please see our website www.brazoria-county.com/dclerk for further information.

FEES DUE AT THE TIME OF FILING NEW SUIT – CIVIL CASE

District Clerk Filing Fee 51.317(b)1 Gov't Code **50.00**

1. \$75.00, for a suit with at least 11 but not more than 25 plaintiffs;
2. \$100.00, for a suit with at least 26 but not more than 100 plaintiffs;
3. \$125.00, for a suit with at least 101 but not more than 500 plaintiffs;
4. \$150.00, for a suit with at least 501 but not more than 1000 plaintiffs;
5. \$200.00, for a suit with at least 26 but not more than 1000 plaintiffs

Judicial Fund Filing Fee 133.151 Texas Local Gov't Code **50.00**

Judiciary Support Fee 133.154 Texas Local Gov't Code **42.00**

Law Library 323.023(a) Texas Local Gov't Code **35.00**

Appellate Judicial Fund (does not apply to suit filed by County or Tax Suit)
22.2021(b) V.T.C.A. **5.00**

Records Management and Preservation 51.317(b)(4) Gov't Code **10.00**

Security Service Fee 291.008 Texas Local Gov't Code **5.00**

Court Reporter Service Fee (does not apply to Tax Suit) 51.601 Gov't Code **15.00**

State Bar Indigent Legal Fee 51.941 (a) (2) Gov't Code **10.00**

District Clerk Records Archive Fee SB1685 and Gov't Code 51.305 **5.00**

District Clerk Records Digital Record Preservation Fee Gov't Code 51.708(a) **10.00**

District Clerk Insurance Contingency Fund Fee Gov't Code 51.302(e) **5.00**

FILING FEE NEW SUIT (CIVIL ONLY, NO SERVICE) 242.00

(b1) The fees for filing a suit, including an appeal from an inferior court are:

1. \$75.00, for a suit with at least 11 but not more than 25 plaintiffs **267.00**
2. \$100.00, for a suit with at least 26 but not more than 100 plaintiffs **292.00**
3. \$125.00, for a suit with at least 101 but not more than 500 plaintiffs **317.00**
4. \$150.00, for a suit with at least 501 but not more than 1000 plaintiffs **342.00**
5. \$200.00, for a suit with at least 26 but not more than 1000 plaintiffs **392.00**

****Note for New Suit Filed Related to a Fraudulent Court Record or a Fraudulent Lien of Claim Filed Against Real or Personal Property, See Fees under "F"***

ADDITIONAL FEES – PLEADINGS

Bill of Review	242.00
Bond Approval 51.318(b)(10) Gov't Code	4.00
Contempt Action 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 1.317(b)(4) and Gov't Code 51.305	41.00
Cross-Action/Counterclaim 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 1.317(b)(4) and Gov't Code 51.305	41.00
Deposition before suit or to investigate claim Petition Rule 202 and Gov't Code 51.305	242.00
Expunction of Records CCP ART. 102.006 For each entity to be served with notice of hearing add \$7.00	242.00
Fraudulent Court Record or a Fraudulent Lien or Claim Filed Against Real or Personal Property (New Suit) Chapter 12, Civil Practice and Remedies Code (Fee for Service of Notice of an action under this section is \$20 if the notice is delivered in person; or, the cost of postage if the service is by registered or certified mail)	15.00
Application for Garnishment (Before or After Judgment)	246.00
Interpleader as an additional filing, 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 1.317(b)(4) and Gov't Code 51.305	41.00
Intervention 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 1.317(b)(4) and Gov't Code 51.305	41.00
Jury Fee 51.604(a) Gov't Code	30.00
Motion for New Trial 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 1.317(b)(4) and Gov't Code 51.305	41.00
Occupational/Restricted driver's license petition	242.00
Third party action 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 1.317(b)(4) and Gov't Code 51.305	41.00
Transfer Venue to Brazoria County	242.00
Writ of error	45.00

**FEES DUE AT THE TIME OF FILING A NEW SUIT – DIVORCE/ANNULMENT
(unless otherwise noted)**

District clerk filing fee 51.317(b)1 Gov't Code	50.00
Judicial fund filing fee 133.151 Texas Local Gov't Code	45.00
Judiciary Support fee 133.154 Texas Local Gov't Code	42.00
Law library 323.023(a) Texas Local Gov't Code	35.00
Family Protection Fee 51.961 Gov't Code	15.00
Appellate judicial fund (does not apply to suit filed by County or Tax Suit) 22.2021(b) V.T.C.A.	5.00
Records management and preservation 51.317(b)(4) Gov't Code	10.00
Security service fee 291.008 Texas Local Gov't Code	5.00
Court reporter service fee (does not apply to Tax Suit) 51.601 Gov't Code	15.00
State Bar Indigent Legal Fee 51.941 (a) (2) Gov't Code	5.00
District Clerk Records Archive Fee SB1685 and Gov't Code 51.305	5.00
District Clerk Records Digital Record Preservation Fee Gov't Code 51.708(a)	10.00
District Clerk Insurance Contingency Fund Fee Gov't Code 51.302(e)	5.00
VS-165 (Report of Divorce/Annulment) 194.002 Health & Safety Code	1.00
FILING FEE NEW SUIT, WAIVER ANNULMENT, OR WAIVER DIVORCE	248.00

FEES DUE AT THE TIME OF FILING A NEW SUIT – OTHER FAMILY MATTERS

Adoption - Minor (Add \$1 for each additional child)	233.00
Adoption - Adult	232.00
Custody	233.00
Declaratory Judgment	242.00
Enforcement of Foreign Judgment/Decree	232.00
Gestational Agreement	233.00
Name Change – Adult or Minor	232.00
Paternity	233.00
Post-Divorce Division of Property	242.00
Removal of Disability of Minor	232.00
Suit Affecting the Parent-Child Relationship	233.00
Termination	233.00
Termination & Adoption	234.00
Transfer of Venue into Brazoria County	45.00
Writ of Garnishment after Judgment	246.00
Writ of Habeas Corpus (new suit)	232.00

ADDITIONAL FEES – PLEADINGS

Cross-action/Counterclaim 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 51.317(b)(4) and Gov't Code 51.305	36.00
Intervention 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 1.317(b)(4) and Gov't Code 51.305	36.00

ADDITIONAL FEES – PLEADINGS AFTER JUDGMENT (SAPCRs)

Motion for Contempt w/children Sec. 110.002 Texas Family Code	15.00
Motion to Enforce of an Order w/children Sec. 110.002 Texas Family Code	15.00

Motion to Modify a Decree w/children Sec. 110.002 Texas Family Code	15.00
Motion for New Trial 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 1.317(b)(4) and Gov't Code 51.305	36.00
Motion to Reinstate 51.317(b)(2) Gov't Code, LGC 291.008 (d), LGC 133.152, 1.317(b)(4) and Gov't Code 51.305	36.00
Motion to Revoke a Stay of License Suspension Sec. 110.002 Texas Family Code	15.00
Motion for Suspension of License Sec. 110.002 Texas Family Code	15.00
Motion to Transfer Venue out of Brazoria Co. Sec. 110.002 Texas Family Code	15.00
Motion to Vacate Sec. 110.002 Texas Family Code	36.00

ADDITIONAL FEES – SERVICE

Citation (include one copy) 51.317(b)(4) and 51.318(b)(2) Gov't Code	8.00
Citation served through the Commissioner of Insurance, Secretary of State or Texas Highway Commission (include 2 copies)	12.00
Commission for Deposition or Letter of Rogatory 51.318(b)(2) Gov't Code	8.00
Order of Sale 51.318(b)(2) Gov't Code	8.00
Other writ or process not otherwise provided for, including one copy 51.317(b)(4) and 51.318(b)(2) Gov't Code	8.00
Precept 51.317(b)(3) and 51.318 (b)(2) Gov't Code	8.00
Service by Sheriff, Civil Process Fees: See Attached Listing of "Brazoria County Sheriff and Constables Civil Process Service Fees effective January 1, 2012" as approved by Commissioners' Court	
Subpoena, including one copy 51.318(b) Gov't Code	8.00
Writ of attachment 51.318(b)(2) Gov't Code	8.00
Writ of execution 51.318(b)(2) Gov't Code	8.00
Writ of garnishment 51.318(b)(2) Gov't Code	8.00
Writ of injunction, temporary restraining order 51.318(b)(2) Gov't Code	8.00
Writ of possession 51.318(b)(2) Gov't Code	8.00
Writ of possession 51.318(b)(2) Gov't Code	8.00

Writ of sequestration 51.318(b)(2) Gov't Code	8.00
Writ of turnover 51.318(b)(2) Gov't Code	8.00
ADDITIONAL FEES - MISCELLANEOUS	
Abstracting a judgment (51.318(b)(5) Gov't Code	8.00
Bill of Costs 51.319(3) Gov't Code	15.00
Certified copy of a record , judgment, order, pleading, or paper on file or of record in the District Clerk's Office, including certificate and seal, for each page or part of a page (51.318(b)(11) Gov't Code)	1.00
Certified or registered mail service (51.319(2) Gov't Code) Citation	75.00
Certified or registered mail service (51.319(2) Gov't Code) Writ	150.00
Jury Fee 51.604(a) Gov't Code	30.00
Name Change Certificate 3.64 and 32.3241 Family Code	10.00
Noncertified copy of a record , judgment, order, pleading, or paper on file or of record in the District Clerk's Office, for each page or part of a page. 51.318(b)(7) Gov't Code	1.00
Notice of application for judicial writ of withholding Sec. 110.002(a)	15.00
Request for withholding of earnings	15.00
Searching files or records to ascertain the existence of an instrument or record in the District Clerk's Office 51.318(b)(4) Gov't Code	5.00
Searching files or records to locate a cause number when docket number is not provided 51.318(b)(3) Gov't Code	5.00
Writ of withholding earnings for child support Sec. 110.004 Family Code	15.00

Notices:	
Subpoenas (District & County Courts)	\$ 75.00
Summons (District & County Courts)	\$ 75.00
Writ of Attachment	\$ 150.00
Writ of Garnishment	\$ 150.00
Writ of Sequestration	\$ 150.00
Writ of Possession	\$ 150.00
*Orders of Sale	\$ 150.00
*Writ of Execution	\$ 150.00
Forcible Detainer (Evictions)	\$ 75.00
Posting for Sheriff / Constable Sale (Each Posting)	\$ 30.00
Service Fees:	
Small Claims Citation	\$ 75.00
Justice Civil Citation	\$ 75.00
All Other Courts' Citations	\$ 75.00
Other Service Fees:	
Subpoena (J.P. Court)	\$ 100.00
Citation by Publication	\$ 75.00
Temporary Restraining Order	\$ 125.00
Writ of Restitution	\$ 150.00
Writ of Habeas Corpus	\$ 150.00
Injunction	\$ 75.00
Trustee Sale or Any Other Posting	\$ 50.00
All Other Process	\$ 75.00
Sheriff / Constable Deed or Bill of Sale (Each parcel if sold separately)	\$ 30.00
Accident Report	\$ 5.00
All others Reports \$4.00 first page, \$1.00 each additional page	
Collection Fee for each call or each animal as required by Statute	\$ 25.00
Impound of Estray Animals (per animal)	\$ 20.00
Boarding - per day/per animal	\$ 5.00

Per officer fee, charged to Plaintiff, for Writ of Possessions, after 2 hours	\$ 30.00
Fees Collected on Execution or Order of Sale from Sheriff or Constable Sale: 5% of monies collected	5%
Fees Collected on Execution or Order of Sale from Sheriff or Constable without a sale: 2.5% of monies collected	2.5%
*Plaintiff's direction to withhold or release levy, withhold collection, or cancel or recall writ without Sheriff or Constable completing collection of judgment amount, interest due thereon, and costs of suit shall include all costs incurred and cancellation fee. Orders of Sale Writ of Execution	\$250.00