

LD8479843

## SENATE BILL NO. 1048

Offered January 23, 1995

*A BILL to amend and reenact § 14.1-112, as it is currently effective and as it may become effective, and § 14.1-123 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 1.1 of Title 19.2 a section numbered 19.2-11.3, relating to creation of a fund to support victim and witness services.*

Patrons—Quayle and Benedetti

Referred to the Committee on Finance

**Be it enacted by the General Assembly of Virginia:**

**1. That § 14.1-112, as it is currently effective and as it may become effective, and § 14.1-123 of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Chapter 1.1 of Title 19.2 a section numbered 19.2-11.3 as follows:**

§ 14.1-112. Clerks of circuit courts; generally.

A clerk of a circuit court shall, for services performed by virtue of his office, charge the following fees:

(1) When a writing is admitted to record under Chapter 2 (§ 17-33 et seq.) of Title 17, or Chapter 5 (§ 55-80 et seq.) or Chapter 6 (§ 55-106 et seq.) of Title 55, for everything relating to it, except the recording in the proper book; for receiving proof of acknowledgments, entering orders, endorsing clerk's certificate, and when required, embracing it in a list for the commissioner of the revenue, one dollar.

(2) For recording and indexing in the proper book any writing and all matters therewith, or for recording and indexing anything not otherwise provided for, thirteen dollars, including the fee of one dollar set forth in subdivision (1) for up to four pages and one dollar for each page over four pages. Only a single fee as authorized by this subdivision shall be charged for recording a certificate of satisfaction that releases the original deed of trust and any corrected or revised deeds of trust. In addition, a fee of one dollar shall be charged for indexing any document for each name indexed exceeding a total of ten in number. One dollar of the fee collected for recording and indexing shall be designated for use in preserving the permanent records of the circuit courts. The sum collected for this purpose shall be administered by The Library of Virginia in cooperation with the circuit court clerks.

(3) [Repealed.]

(4) For appointing and qualifying any personal representative, committee, trustee, guardian, or other fiduciary, in addition to any fees for recording allowed by this section, twenty dollars for estates not exceeding \$50,000, twenty-five dollars for estates not exceeding \$100,000 and thirty dollars for estates exceeding \$100,000. No fee shall be charged for estates of \$5,000 or less.

(5) For entering and granting and for issuing any license, other than a marriage license or a hunting and fishing license, and administering an oath when necessary, ten dollars.

(6) For issuing a marriage license, attaching certificate, administering or receiving all necessary oaths or affidavits, indexing and recording, ten dollars.

(7) For making out any bond, other than those under § 14.1-90 or subdivision (5) of this section, administering all necessary oaths and writing proper affidavits, three dollars.

(8) For issuing any execution, and recording the return thereof, \$1.50 and for all services rendered by the clerk in any garnishment or attachment proceeding the clerk's fee shall be fifteen dollars in cases not exceeding \$500 and twenty-five dollars in all other cases.

(9) [Repealed.]

(10) For making out a copy of any paper or record to go out of the office, which is not otherwise specifically provided for, for each page, a fee of fifty cents shall be charged.

(11) For annexing the seal of the court to any paper, writing the certificate of the clerk accompanying it, the clerk shall charge two dollars and for attaching the certificate of the judge, if the clerk is requested to do so, the clerk shall charge an additional fifty cents.

(12) through (14) [Repealed.]

(15) Upon conviction in felony cases the clerk shall charge the defendant ~~thirty-two~~ thirty-five dollars in each case.

In addition, in each case in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of \$100 for each felony conviction and each felony disposition under § 18.2-251 and (ii) a fee of \$100 per case for any forensic laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs to the defendant and shall be paid into the general fund of the state treasury.

INTRODUCED

SB1048

60 In addition, in all felony cases, the clerk shall collect and tax as costs (i) the expense of reporting or  
61 recording the trial in an amount equal to the per diem charges of the reporter or reasonable charge  
62 attributable to the cost of operating the mechanical or electronic devices in accordance with § 19.2-165,  
63 (ii) a fee of two dollars and fifty cents per charge, (iii) the fees of the attorney for the Commonwealth  
64 as provided for in § 14.1-121, (iv) the compensation of court-appointed counsel as provided in  
65 § 19.2-163, (v) the fees of the public defenders as provided for in § 19.2-163.2, (vi) the additional costs  
66 per charge imposed under § 19.2-368.18 to be deposited into the Criminal Injuries Compensation Fund,  
67 and (vii) in any court of record in which electronic devices are used for the purpose of recording  
68 testimony, a sum not to exceed twenty dollars for each day or part of a day of the trial to be paid by  
69 the clerk into a special fund to be used for the purpose of repairing, replacing or supplementing such  
70 electronic devices, or if a sufficient amount is available, to pay the purchase price of such devices in  
71 whole or in part. For the purpose of this subdivision, repairing shall include maintenance or service  
72 contracts.

73 (16) Upon conviction in misdemeanor cases, the clerk shall charge the defendant  
74 ~~twenty-two~~ twenty-five dollars in each case.

75 In addition, in each case in which a person is convicted of a violation of any provision of Article 1  
76 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of fifty dollars for each  
77 misdemeanor conviction and (ii) a fee of \$100 per case for any forensic laboratory analysis performed  
78 for use in prosecution of such violation. Such fees shall be taxed as costs to the defendant and shall be  
79 paid into the general fund of the state treasury.

80 In addition, for each misdemeanor case the clerk shall collect and tax as costs (i) the fees of the  
81 attorneys for the Commonwealth as provided for in § 14.1-121, (ii) the compensation of court-appointed  
82 counsel as provided in § 19.2-163, (iii) the fees of the public defenders as provided for in § 19.2-163.2,  
83 (iv) the additional costs imposed under § 19.2-368.18 to be deposited into the Criminal Injuries  
84 Compensation Fund, and (v) in any court in which electronic devices are used for the purpose of  
85 recording testimony, a sum not to exceed five dollars for each day or part of a day of the trial to be  
86 paid by the clerk into a special fund to be used for the purpose of repairing, replacing or supplementing  
87 such electronic devices, or if a sufficient amount is available, to pay the purchase price of such devices  
88 in whole or in part. For the purpose of this subdivision, repairing shall include maintenance or service  
89 contracts.

90 (16a) Upon the defendant's being required to successfully complete traffic school or a driver  
91 improvement clinic in lieu of a finding of guilty, the court shall charge the defendant fees and costs as  
92 if he had been convicted.

93 (17) In all actions at law the clerk's fee chargeable to the plaintiff shall be fifty dollars in cases not  
94 exceeding \$50,000, \$100 in cases not exceeding \$100,000, and \$150 in cases exceeding \$100,000; and  
95 in condemnation cases, a fee of twenty-five dollars, to be paid by the plaintiff at the time of instituting  
96 the action, this fee to be in lieu of any other fees. There shall be no fee charged for the filing of a  
97 cross-claim or setoff in any pending action. However, the fees prescribed by this subdivision shall be  
98 charged upon the filing of a counterclaim. The fees prescribed above shall be collected upon the filing  
99 of papers for the commencement of civil actions. This subdivision shall not be applicable to cases filed  
100 in the Supreme Court of Virginia.

101 (17a) In addition to the fees chargeable for actions at law, for the costs of proceedings for judgments  
102 by confession under §§ 8.01-432 through 8.01-440, the clerk shall tax as costs (i) the cost of registered  
103 or certified mail, (ii) the statutory writ tax, in the amount required by law to be paid on a suit for the  
104 amount of the confessed judgment, (iii) for the sheriff for serving each copy of the order entering  
105 judgment, one dollar and twenty-five cents, and (iv) for docketing the judgment and issuing executions  
106 thereon, the same fees as prescribed in subdivision (22) of this section.

107 (18) [Repealed.]

108 (19) For qualifying notaries public, including the making out of the bond and any copies thereof,  
109 administering the necessary oaths, and entering the order, ten dollars.

110 (20) For each habeas corpus proceeding, the clerk shall receive ten dollars for all services required  
111 thereunder. This subdivision shall not be applicable to such suits filed in the Supreme Court of Virginia.

112 (21) [Repealed.]

113 (22) For docketing and indexing a judgment from any other court of this Commonwealth, for  
114 docketing and indexing a judgment in the new name of a judgment debtor pursuant to the provisions of  
115 § 8.01-451, but not when incident to a divorce, for noting and filing the assignment of a judgment  
116 pursuant to § 8.01-452, a fee of five dollars; and for issuing an abstract of any recorded judgment, when  
117 proper to do so, a fee of five dollars; and for filing, docketing, indexing and mailing notice of a foreign  
118 judgment, a fee of twenty dollars.

119 (23) For all services rendered by the clerk in any court proceeding for which no specific fee is  
120 provided by law, the clerk shall charge ten dollars, to be paid by the party filing said papers at the time  
121 of filing; however, this subdivision shall not be applicable in a divorce cause prior to and including the

entry of a decree of divorce from the bond of matrimony.

(24) For receiving and processing an application for a tax deed, ten dollars.

(25) For all services rendered by the clerk in any condemnation proceeding instituted by the Commonwealth, twenty-five dollars.

(26), (27) [Repealed.]

(28) For making the endorsements on a forthcoming bond and recording the matters relating to such bond pursuant to the provisions of § 8.01-529, one dollar.

(29) For all services rendered by the clerk in any proceeding pursuant to § 57-8 or § 57-15, ten dollars.

(30) For preparation and issuance of a subpoena duces tecum or a summons for interrogation by an execution creditor, five dollars.

(31) For all services rendered by the clerk in matters under § 8.01-217 relating to change of name, twenty dollars; however, this subdivision shall not be applicable in cases where the change of name is incident to a divorce.

(32) For providing court records or documents on microfilm, per frame, ten cents.

(33) In all chancery causes, the clerk's fee chargeable to the plaintiff shall be fifty dollars to be paid by the plaintiff at the time of instituting the suit, which shall include the furnishing of a duly certified copy of the final decree. However, no fee shall be charged for the filing of a cross-bill in any pending suit. In divorce cases, when there is a merger of a divorce of separation a mensa et thoro into a decree of divorce a vinculo, the above mentioned fee shall include the furnishing of a duly certified copy of both such decrees.

(34) For the acceptance of credit cards in lieu of money to collect and secure all fees, fines, restitution, forfeiture, penalties and costs in accordance with § 19.2-353.3, the clerk shall collect a service charge of four percent of the amount paid.

(35) For the return of any check unpaid by the financial institution on which it was drawn or notice is received from the credit card issuer that payment will not be made for any reason, the clerk shall collect, if allowed by the court, a fee of ten dollars or ten percent of the amount to be paid, whichever is greater, in accordance with § 19.2-353.3.

(36) For all services rendered in an adoption proceeding, a fee of twenty dollars, in addition to the fee imposed under § 63.1-236.1, to be paid by the petitioner or petitioners.

(37) For reissuing a license lost or destroyed as provided in § 29.1-334, a fee in the same amount as the fee for the original license.

(38) For the filing of any petition as provided in §§ 33.1-124, 33.1-125 and 33.1-129, a fee of five dollars to be paid by the petitioner; and for the recordation of a certificate or copy thereof, as provided for in § 33.1-122, as well as for any order of the court relating thereto, the clerk shall charge the same fee as for recording a deed as provided for in this section, to be paid by the party upon whose request such certificate is recorded or order is entered.

(39) For making up, certifying and transmitting original record pursuant to the Rules of the Supreme Court, including all papers necessary to be copied and other services rendered, a fee of twenty dollars.

(40) For issuance of hunting and trapping permits in accordance with § 10.1-1154, twenty-five cents.

(41) For filings, etc., under the Uniform Federal Lien Registration Act (§ 55-142.1 et seq.), the fees shall be as prescribed in that Act.

(42) For filing certificates of commencement of a bankruptcy case in accordance with § 55-142.01, a fee of one dollar.

(43) For filing the appointment of a resident agent for a nonresident property owner in accordance with § 55-218.1, a fee of one dollar.

(44) For filing power of attorney for service of process, or resignation or revocation thereof, in accordance with § 59.1-71, a fee of twenty-five cents.

(45) For recordation of certificate and registration of names of nonresident owners in accordance with § 59.1-74, a fee of ten dollars.

(46) For maintaining the information required under the Overhead High Voltage Line Safety Act (§ 59.1-406 et seq.), the fee as prescribed in § 59.1-411.

(47) For lodging, indexing and preserving a will in accordance with § 64.1-56, a fee of two dollars.

(48) For filing a financing statement in accordance with § 8.9-403, the fee shall be as prescribed under that section.

(49) For filing a termination statement in accordance with § 8.9-404, the fee shall be as prescribed under that section.

(50) For filing assignment of security interest in accordance with § 8.9-405, the fee shall be as prescribed under that section.

In accordance with § 14.1-133.2, the clerk shall collect fees under subdivisions (8), (15), (16), (17), (20), (23) if applicable, (25), (29), (31), (33), (36), (38), and (41) to be designated for courthouse

183 construction, renovation or maintenance.

184 In accordance with § 14.1-125.1, the clerk shall collect fees under subdivisions (8), (17), (20), (23) if  
185 applicable, (25), (29), (31), (33), (36), (38), and (41) to be designated for services provided for the poor,  
186 without charge, by a nonprofit legal aid program.

187 In accordance with § 14.1-133.3, the clerk shall collect fees under subdivisions (15) and (16) to be  
188 designated for the Intensified Drug Enforcement Jurisdiction Fund.

189 In accordance with § 42.1-70, the clerk shall collect fees under subdivisions (8), (17), (20), (23) if  
190 applicable, (25), (29), (31), (33), (36), (38), and (41) to be designated for public law libraries.

191 The provisions of this section shall control the fees charged by clerks of circuit courts for the  
192 services above described.

193 § 14.1-112. (Delayed effective date) Clerks of circuit courts; generally.

194 A clerk of a circuit court shall, for services performed by virtue of his office, charge the following  
195 fees:

196 (1) When a writing is admitted to record under Chapter 2 (§ 17-33 et seq.) of Title 17, or Chapter 5  
197 (§ 55-80 et seq.) or Chapter 6 (§ 55-106 et seq.) of Title 55, for everything relating to it, except the  
198 recording in the proper book; for receiving proof of acknowledgments, entering orders, endorsing clerk's  
199 certificate, and when required, embracing it in a list for the commissioner of the revenue, one dollar.

200 (2) For recording and indexing in the proper book any writing and all matters therewith, or for  
201 recording and indexing anything not otherwise provided for, thirteen dollars, including the fee of one  
202 dollar set forth in subdivision (1) for up to four pages and one dollar for each page over four pages.  
203 Only a single fee as authorized by this subdivision shall be charged for recording a certificate of  
204 satisfaction that releases the original deed of trust and any corrected or revised deeds of trust. In  
205 addition, a fee of one dollar shall be charged for indexing any document for each name indexed  
206 exceeding a total of ten in number. One dollar of the fee collected for recording and indexing shall be  
207 designated for use in preserving the permanent records of the circuit courts. The sum collected for this  
208 purpose shall be administered by The Library of Virginia in cooperation with the circuit court clerks.

209 (3) [Repealed.]

210 (4) For appointing and qualifying any personal representative, committee, trustee, guardian, or other  
211 fiduciary, in addition to any fees for recording allowed by this section, twenty dollars for estates not  
212 exceeding \$50,000, twenty-five dollars for estates not exceeding \$100,000 and thirty dollars for estates  
213 exceeding \$100,000. No fee shall be charged for estates of \$5,000 or less.

214 (5) For entering and granting and for issuing any license, other than a marriage license or a hunting  
215 and fishing license, and administering an oath when necessary, ten dollars.

216 (6) For issuing a marriage license, attaching certificate, administering or receiving all necessary oaths  
217 or affidavits, indexing and recording, ten dollars.

218 (7) For making out any bond, other than those under § 14.1-90 or subdivision (5) of this section,  
219 administering all necessary oaths and writing proper affidavits, three dollars.

220 (8) For issuing any execution, and recording the return thereof, \$1.50 and for all services rendered by  
221 the clerk in any garnishment or attachment proceeding the clerk's fee shall be fifteen dollars in cases not  
222 exceeding \$500 and twenty-five dollars in all other cases.

223 (9) [Repealed.]

224 (10) For making out a copy of any paper or record to go out of the office, which is not otherwise  
225 specifically provided for, for each page, a fee of fifty cents shall be charged.

226 (11) For annexing the seal of the court to any paper, writing the certificate of the clerk  
227 accompanying it, the clerk shall charge two dollars, and for attaching the certificate of the judge, if the  
228 clerk is requested to do so, the clerk shall charge an additional fifty cents.

229 (12) through (14) [Repealed.]

230 (15) Upon conviction in felony cases the clerk shall charge the defendant ~~thirty-two~~ *thirty-five* dollars  
231 in each case.

232 In addition, in each case in which a person is convicted of a violation of any provision of Article 1  
233 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of \$100 for each felony  
234 conviction and each felony disposition under § 18.2-251, and (ii) a fee of \$100 per case for any forensic  
235 laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs  
236 to the defendant and shall be paid into the general fund of the state treasury.

237 In addition, in all felony cases, the clerk shall collect and tax as costs (i) the expense of reporting or  
238 recording the trial in an amount equal to the per diem charges of the reporter or reasonable charge  
239 attributable to the cost of operating the mechanical or electronic devices in accordance with § 19.2-165,  
240 (ii) a fee of two dollars and fifty cents per charge, (iii) the fees of the attorney for the Commonwealth  
241 as provided for in § 14.1-121, (iv) the compensation of court-appointed counsel as provided in  
242 § 19.2-163, (v) the fees of the public defenders as provided for in § 19.2-163.2, (vi) the additional costs  
243 per charge imposed under § 19.2-368.18 to be deposited into the Criminal Injuries Compensation Fund,  
244 and (vii) in any court of record in which electronic devices are used for the purpose of recording

testimony, a sum not to exceed twenty dollars for each day or part of a day of the trial to be paid by the clerk into a special fund to be used for the purpose of repairing, replacing or supplementing such electronic devices, or if a sufficient amount is available, to pay the purchase price of such devices in whole or in part. For the purpose of this subdivision, repairing shall include maintenance or service contracts.

(16) Upon conviction in misdemeanor cases, the clerk shall charge the defendant ~~twenty-two~~ *twenty-five* dollars in each case.

In addition, in each case in which a person is convicted of a violation of any provision of Article 1 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of fifty dollars for each misdemeanor conviction and (ii) a fee of \$100 per case for any forensic laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs to the defendant and shall be paid into the general fund of the state treasury.

In addition, for each misdemeanor case the clerk shall collect and tax as costs (i) the fees of the attorneys for the Commonwealth as provided for in § 14.1-121, (ii) the compensation of court-appointed counsel as provided in § 19.2-163, (iii) the fees of the public defenders as provided for in § 19.2-163.2, (iv) the additional costs imposed under § 19.2-368.18 to be deposited into the Criminal Injuries Compensation Fund, and (v) in any court in which electronic devices are used for the purpose of recording testimony, a sum not to exceed five dollars for each day or part of a day of the trial to be paid by the clerk into a special fund to be used for the purpose of repairing, replacing or supplementing such electronic devices, or if a sufficient amount is available, to pay the purchase price of such devices in whole or in part. For the purpose of this subdivision, repairing shall include maintenance or service contracts.

(16a) Upon the defendant's being required to successfully complete traffic school or a driver improvement clinic in lieu of a finding of guilty, the court shall charge the defendant fees and costs as if he had been convicted.

(17) In all actions at law the clerk's fee chargeable to the plaintiff shall be fifty dollars in cases not exceeding \$50,000, \$100 in cases not exceeding \$100,000, and \$150 in cases exceeding \$100,000; and in condemnation cases, a fee of twenty-five dollars, to be paid by the plaintiff at the time of instituting the action, this fee to be in lieu of any other fees. There shall be no fee charged for the filing of a cross-claim or setoff in any pending action. However, the fees prescribed by this subdivision shall be charged upon the filing of a counterclaim. The fees prescribed above shall be collected upon the filing of papers for the commencement of civil actions. This subdivision shall not be applicable to cases filed in the Supreme Court of Virginia.

(17a) In addition to the fees chargeable in actions at law, for the costs of proceedings for judgments by confession under §§ 8.01-432 through 8.01-440, the clerk shall tax as costs (i) the cost of registered or certified mail, (ii) the statutory writ tax, in the amount required by law to be paid on a suit for the amount of the confessed judgment, (iii) for the sheriff for serving each copy of the order entering judgment, one dollar and twenty-five cents, and (iv) for docketing the judgment and issuing executions thereon, the same fees as prescribed in subdivision (22) of this section.

(18) [Repealed.]

(19) For qualifying notaries public, including the making out of the bond and any copies thereof, administering the necessary oaths, and entering the order, ten dollars.

(20) For each habeas corpus proceeding, the clerk shall receive ten dollars for all services required thereunder. This subdivision shall not be applicable to such suits filed in the Supreme Court of Virginia.

(21) [Repealed.]

(22) For docketing and indexing a judgment from any other court of this Commonwealth, for docketing and indexing a judgment in the new name of a judgment debtor pursuant to the provisions of § 8.01-451, but not when incident to a divorce, for noting and filing the assignment of a judgment pursuant to § 8.01-452, a fee of five dollars; and for issuing an abstract of any recorded judgment, when proper to do so, a fee of five dollars; and for filing, docketing, indexing and mailing notice of a foreign judgment, a fee of twenty dollars.

(23) For all services rendered by the clerk in any court proceeding for which no specific fee is provided by law, the clerk shall charge ten dollars, to be paid by the party filing said papers at the time of filing.

(24) For receiving and processing an application for a tax deed, ten dollars.

(25) For all services rendered by the clerk in any condemnation proceeding instituted by the Commonwealth, twenty-five dollars.

(26), (27) [Repealed.]

(28) For making the endorsements on a forthcoming bond and recording the matters relating to such bond pursuant to the provisions of § 8.01-529, one dollar.

(29) For all services rendered by the clerk in any proceeding pursuant to § 57-8 or § 57-15, ten

306 dollars.

307 (30) For preparation and issuance of a subpoena duces tecum or a summons for interrogation by an  
308 execution creditor, five dollars.

309 (31) For all services rendered by the clerk in matters filed in circuit court under § 8.01-217 relating  
310 to change of name, twenty dollars; however, this subdivision shall not be applicable in cases where the  
311 change of name is incident to a divorce.

312 (32) For providing court records or documents on microfilm, per frame, ten cents.

313 (33) In all chancery cases, the clerk's fee chargeable to the plaintiff shall be fifty dollars to be paid  
314 by the plaintiff at the time of instituting the suit, which shall include the furnishing of a duly certified  
315 copy of the final decree. However, no fee shall be charged for the filing of a cross-bill in any pending  
316 suit. In divorce cases, when there is a merger of a divorce of separation a mensa et thoro into a decree  
317 of divorce a vinculo, the above mentioned fee shall include the furnishing of a duly certified copy of  
318 both such decrees.

319 (34) For the acceptance of credit cards in lieu of money to collect and secure all fees, fines,  
320 restitution, forfeiture, penalties and costs in accordance with § 19.2-353.3, the clerk shall collect a  
321 service charge of four percent of the amount paid.

322 (35) For the return of any check unpaid by the financial institution on which it was drawn or notice  
323 is received from the credit card issuer that payment will not be made for any reason, the clerk shall  
324 collect, if allowed by the court, a fee of ten dollars or ten percent of the amount to be paid, whichever  
325 is greater, in accordance with § 19.2-353.3.

326 (36) For all services rendered in an adoption proceeding, a fee of twenty dollars, in addition to the  
327 fee imposed under § 63.1-236.1, to be paid by the petitioner or petitioners.

328 (37) For reissuing a license lost or destroyed as provided in § 29.1-334, a fee in the same amount as  
329 the fee for the original license.

330 (38) For the filing of any petition as provided in §§ 33.1-124, 33.1-125 and 33.1-129, a fee of five  
331 dollars to be paid by the petitioner; and for the recordation of a certificate or copy thereof, as provided  
332 for in § 33.1-122, as well as for any order of the court relating thereto, the clerk shall charge the same  
333 fee as for recording a deed as provided for in this section, to be paid by the party upon whose request  
334 such certificate is recorded or order is entered.

335 (39) For making up, certifying and transmitting original record pursuant to the Rules of the Supreme  
336 Court, including all papers necessary to be copied and other services rendered, a fee of twenty dollars.

337 (40) For issuance of hunting and trapping permits in accordance with § 10.1-1154, twenty-five cents.

338 (41) For filings, etc., under the Uniform Federal Lien Registration Act (§ 55-142.1 et seq.), the fees  
339 shall be as prescribed in that Act.

340 (42) For filing certificates of commencement of a bankruptcy case in accordance with § 55-142.01, a  
341 fee of one dollar.

342 (43) For filing the appointment of a resident agent for a nonresident property owner in accordance  
343 with § 55-218.1, a fee of one dollar.

344 (44) For filing power of attorney for service of process, or resignation or revocation thereof, in  
345 accordance with § 59.1-71, a fee of twenty-five cents.

346 (45) For recordation of certificate and registration of names of nonresident owners in accordance with  
347 § 59.1-74, a fee of ten dollars.

348 (46) For maintaining the information required under the Overhead High Voltage Line Safety Act  
349 (§ 59.1-406 et seq.), the fee as prescribed in § 59.1-411.

350 (47) For lodging, indexing and preserving a will in accordance with § 64.1-56, a fee of two dollars.

351 (48) For filing a financing statement in accordance with § 8.9-403, the fee shall be as prescribed  
352 under that section.

353 (49) For filing a termination statement in accordance with § 8.9-404, the fee shall be as prescribed  
354 under that section.

355 (50) For filing assignment of security interest in accordance with § 8.9-405, the fee shall be as  
356 prescribed under that section.

357 In accordance with § 14.1-133.2, the clerk shall collect fees under subdivisions (8), (15), (16), (17),  
358 (20), (23) if applicable, (25), (29), (31), (33), (36), (38), and (41) to be designated for courthouse  
359 construction, renovation or maintenance.

360 In accordance with § 14.1-125.1, the clerk shall collect fees under subdivisions (8), (17), (20), (23) if  
361 applicable, (25), (29), (31), (33), (36), (38), and (41) to be designated for services provided for the poor,  
362 without charge, by a nonprofit legal aid program.

363 In accordance with § 14.1-133.3, the clerk shall collect fees under subdivisions (15) and (16) to be  
364 designated for the Intensified Drug Enforcement Jurisdiction Fund.

365 In accordance with § 42.1-70, the clerk shall collect fees under subdivisions (8), (17), (20), (23) if  
366 applicable, (25), (29), (31), (33), (36), (38), and (41) to be designated for public law libraries.

367 The provisions of this section shall control the fees charged by clerks of circuit courts for the

services above described.

§ 14.1-123. Fees for services performed by judges or clerks of district courts in criminal or traffic cases.

Fees for services performed by the judges or clerks of district courts in criminal or traffic actions and proceedings shall be as follows and such fees shall be included in the taxed costs:

1. For processing a case of a misdemeanor or a traffic violation, including a case in which there has been written appearance and waiver of court hearing, and including swearing witnesses and taxing costs, ~~twenty-four~~ twenty-seven dollars.

Assessment of this fee shall be based on:

(i) An appearance for court hearing in which there has been a finding of guilty;

(ii) A written appearance with waiver of court hearing and entry of guilty plea;

(iii) For a defendant failing to appear, a trial in his or her absence resulting in a finding of guilty. In addition to any other fee prescribed by this subsection, a fee of five dollars shall be taxed as costs whenever a defendant, charged with a traffic infraction, fails to appear, unless, after a hearing requested by such person, good cause is shown for such failure to appear. No defendant with multiple charges arising from a single incident shall be taxed the fee provided in this subsection more than once for a single appearance or trial in absence related to that incident. A defendant with charges which arise from separate incidents shall be taxed a fee for each incident even if the charges from the multiple incidents are disposed of in a single appearance or trial in absence; or

(iv) An appearance for court hearing in which the court requires that the defendant successfully complete traffic school or a driver improvement clinic, in lieu of a finding of guilty.

2. For processing any check tendered in a case of traffic violation that has been returned unpaid by any banking institution, such fee as is determined pursuant to § 19.2-353.3.

§ 19.2-11.3. *Virginia Crime Victim-Witness Fund.*

*There is hereby established the Virginia Crime Victim-Witness Fund as a special nonreverting fund to be administered by the Department of Criminal Justice Services to support victim and witness services that meet the minimum standards prescribed for such programs under § 19.2-11.1. Three dollars collected pursuant to subdivisions 15 and 16 of § 14.1-112 and to subdivision 1 of § 14.1-123 shall be deposited into the state treasury to the credit of this Fund. The Fund shall be distributed according to grant procedures adopted pursuant to § 9-173.3 and shall be established on the books of the Comptroller. Any funds remaining in such Fund at the end of the biennium shall not revert to the general fund, but shall remain in the Fund. Interest earned on the Fund shall be credited to the Fund.*