

961658747

SENATE BILL NO. 371

Offered January 22, 1996

A BILL to amend and reenact § 14.1-112, as it is currently effective and as it may become effective, and § 55-142.01 of the Code of Virginia, relating to fees collected by clerks; certificates of commencement of case in bankruptcy.

Patron—Trumbo

Referred to the Committee for Courts of Justice

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 § 55-142.01 of the Code of Virginia are amended and reenacted 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, and for recording plats too large to be recorded in the deed books, and for each sheet thereof, thirteen dollars. This fee shall be in addition to the fee for recording a deed or other instrument recorded in conjunction with such plat sheet or sheets including the fee of one dollar set forth in subdivision (1). 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(3) [Repealed.]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, a fee of fifty cents for each page. However, there shall be no charge to the recipient of a final order or decree to send an attested copy to such party.

(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 or when a felony defendant's suspension of sentence and probation is revoked pursuant to § 19.2-306, other than a revocation for failure to pay prior court costs, the clerk shall charge the defendant 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

INTRODUCED

SB371

60 conviction and each felony disposition under § 18.2-251 and (ii) a fee of \$100 per case for any forensic  
61 laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs  
62 to the defendant and shall be paid into the general fund of the state treasury.

63 In addition, in all felony cases, including the revocation of suspension of sentence and probation held  
64 pursuant to § 19.2-306, other than a revocation for failure to pay prior court costs, the clerk shall collect  
65 and tax as costs (i) the expense of reporting or recording the trial or hearing in an amount equal to the  
66 per diem charges of the reporter or reasonable charge attributable to the cost of operating the mechanical  
67 or electronic devices in accordance with § 19.2-165, (ii) a fee of two dollars and fifty cents per charge,  
68 (iii) the fees of the attorney for the Commonwealth as provided for in § 14.1-121, (iv) the compensation  
69 of court-appointed counsel as provided in § 19.2-163, (v) the fees of the public defenders as provided  
70 for in § 19.2-163.2, (vi) the additional costs per charge imposed under § 19.2-368.18 to be deposited  
71 into the Criminal Injuries Compensation Fund, and (vii) in any court of record in which electronic  
72 devices are used for the purpose of recording testimony, a sum not to exceed twenty dollars for each  
73 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  
74 repairing, replacing or supplementing such electronic devices, or if a sufficient amount is available, to  
75 pay the purchase price of such devices in whole or in part. For the purpose of this subdivision, repairing  
76 shall include maintenance or service contracts.

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

79 In addition, in each case in which a person is convicted of a violation of any provision of Article 1  
80 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of fifty dollars for each  
81 misdemeanor conviction and (ii) a fee of \$100 per case for any forensic laboratory analysis performed  
82 for use in prosecution of such violation. Such fees shall be taxed as costs to the defendant and shall be  
83 paid into the general fund of the state treasury.

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

94 (16a) Upon the defendant's being required to successfully complete traffic school or a driver  
95 improvement clinic in lieu of a finding of guilty, the court shall charge the defendant fees and costs as  
96 if he had been convicted.

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

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

111 (18) [Repealed.]

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

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

116 (21) [Repealed.]

117 (22) For docketing and indexing a judgment from any other court of this Commonwealth, for  
118 docketing and indexing a judgment in the new name of a judgment debtor pursuant to the provisions of  
119 § 8.01-451, but not when incident to a divorce, for noting and filing the assignment of a judgment  
120 pursuant to § 8.01-452, a fee of five dollars; and for issuing an abstract of any recorded judgment, when  
121 proper to do so, a fee of five dollars; and for filing, docketing, indexing and mailing notice of a foreign

122 judgment, a fee of twenty dollars.

123 (23) For all services rendered by the clerk in any court proceeding for which no specific fee is  
124 provided by law, the clerk shall charge ten dollars, to be paid by the party filing said papers at the time  
125 of filing; however, this subdivision shall not be applicable in a divorce cause prior to and including the  
126 entry of a decree of divorce from the bond of matrimony.

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

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

130 (26), (27) [Repealed.]

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

174 (45) For recordation of certificate and registration of names of nonresident owners in accordance with  
175 § 59.1-74, a fee of ten dollars.

176 (46) For maintaining the information required under the Overhead High Voltage Line Safety Act  
177 (§ 59.1-406 et seq.), the fee as prescribed in § 59.1-411.

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

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

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

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

185 In accordance with § 14.1-133.2, the clerk shall collect fees under subdivisions (8), (15), (16), (17),  
186 (20), (23) if applicable, (25), (29), (31), (33), (36), and (38) to be designated for courthouse  
187 construction, renovation or maintenance.

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

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

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

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

197 § 14.1-112. (Delayed effective date) Clerks of circuit courts; generally.

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

200 (1) When a writing is admitted to record under Chapter 2 (§ 17-33 et seq.) of Title 17, or Chapter 5  
201 (§ 55-80 et seq.) or Chapter 6 (§ 55-106 et seq.) of Title 55, for everything relating to it, except the  
202 recording in the proper book; for receiving proof of acknowledgments, entering orders, endorsing clerk's  
203 certificate, and when required, embracing it in a list for the commissioner of the revenue, one dollar.

204 (2) For recording and indexing in the proper book any writing and all matters therewith, or for  
205 recording and indexing anything not otherwise provided for, thirteen dollars, including the fee of one  
206 dollar set forth in subdivision (1) for up to four pages and one dollar for each page over four pages, and  
207 for recording plats too large to be recorded in the deed books, and for each sheet thereof, thirteen  
208 dollars. This fee shall be in addition to the fee for recording a deed or other instrument recorded in  
209 conjunction with such plat sheet or sheets including the fee of one dollar set forth in subdivision (1).  
210 Only a single fee as authorized by this subdivision shall be charged for recording a certificate of  
211 satisfaction that releases the original deed of trust and any corrected or revised deeds of trust. In  
212 addition, a fee of one dollar shall be charged for indexing any document for each name indexed  
213 exceeding a total of ten in number. One dollar of the fee collected for recording and indexing shall be  
214 designated for use in preserving the permanent records of the circuit courts. The sum collected for this  
215 purpose shall be administered by The Library of Virginia in cooperation with the circuit court clerks.

216 (3) [Repealed.]

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

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

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

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

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

230 (9) [Repealed.]

231 (10) For making out a copy of any paper or record to go out of the office, which is not otherwise  
232 specifically provided for, a fee of fifty cents for each page. However, there shall be no charge to the  
233 recipient of a final order or decree to send an attested copy to such party.

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

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

238 (15) Upon conviction in felony cases or when a felony defendant's suspension of sentence and  
239 probation is revoked pursuant to § 19.2-306, other than a revocation for failure to pay prior court costs,  
240 the clerk shall charge the defendant thirty-five dollars in each case.

241 In addition, in each case in which a person is convicted of a violation of any provision of Article 1  
242 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of \$100 for each felony  
243 conviction and each felony disposition under § 18.2-251, and (ii) a fee of \$100 per case for any forensic  
244 laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs

245 to the defendant and shall be paid into the general fund of the state treasury.

246 In addition, in all felony cases, including the revocation of suspension of sentence and probation held  
 247 pursuant to § 19.2-306, other than a revocation for failure to pay prior court costs, the clerk shall collect  
 248 and tax as costs (i) the expense of reporting or recording the trial or hearing in an amount equal to the  
 249 per diem charges of the reporter or reasonable charge attributable to the cost of operating the mechanical  
 250 or electronic devices in accordance with § 19.2-165, (ii) a fee of two dollars and fifty cents per charge,  
 251 (iii) the fees of the attorney for the Commonwealth as provided for in § 14.1-121, (iv) the compensation  
 252 of court-appointed counsel as provided in § 19.2-163, (v) the fees of the public defenders as provided  
 253 for in § 19.2-163.2, (vi) the additional costs per charge imposed under § 19.2-368.18 to be deposited  
 254 into the Criminal Injuries Compensation Fund, and (vii) in any court of record in which electronic  
 255 devices are used for the purpose of recording testimony, a sum not to exceed twenty dollars for each  
 256 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  
 257 repairing, replacing or supplementing such electronic devices, or if a sufficient amount is available, to  
 258 pay the purchase price of such devices in whole or in part. For the purpose of this subdivision, repairing  
 259 shall include maintenance or service contracts.

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

262 In addition, in each case in which a person is convicted of a violation of any provision of Article 1  
 263 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of fifty dollars for each  
 264 misdemeanor conviction and (ii) a fee of \$100 per case for any forensic laboratory analysis performed  
 265 for use in prosecution of such violation. Such fees shall be taxed as costs to the defendant and shall be  
 266 paid into the general fund of the state treasury.

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

277 (16a) Upon the defendant's being required to successfully complete traffic school or a driver  
 278 improvement clinic in lieu of a finding of guilty, the court shall charge the defendant fees and costs as  
 279 if he had been convicted.

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

288 (17a) In addition to the fees chargeable in actions at law, for the costs of proceedings for judgments  
 289 by confession under §§ 8.01-432 through 8.01-440, the clerk shall tax as costs (i) the cost of registered  
 290 or certified mail, (ii) the statutory writ tax, in the amount required by law to be paid on a suit for the  
 291 amount of the confessed judgment, (iii) for the sheriff for serving each copy of the order entering  
 292 judgment, one dollar and twenty-five cents, and (iv) for docketing the judgment and issuing executions  
 293 thereon, the same fees as prescribed in subdivision (22) of this section.

294 (18) [Repealed.]

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

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

299 (21) [Repealed.]

300 (22) For docketing and indexing a judgment from any other court of this Commonwealth, for  
 301 docketing and indexing a judgment in the new name of a judgment debtor pursuant to the provisions of  
 302 § 8.01-451, but not when incident to a divorce, for noting and filing the assignment of a judgment  
 303 pursuant to § 8.01-452, a fee of five dollars; and for issuing an abstract of any recorded judgment, when  
 304 proper to do so, a fee of five dollars; and for filing, docketing, indexing and mailing notice of a foreign  
 305 judgment, a fee of twenty dollars.

- 306 (23) For all services rendered by the clerk in any court proceeding for which no specific fee is  
307 provided by law, the clerk shall charge ten dollars, to be paid by the party filing said papers at the time  
308 of filing.
- 309 (24) For receiving and processing an application for a tax deed, ten dollars.
- 310 (25) For all services rendered by the clerk in any condemnation proceeding instituted by the  
311 Commonwealth, twenty-five dollars.
- 312 (26), (27) [Repealed.]
- 313 (28) For making the endorsements on a forthcoming bond and recording the matters relating to such  
314 bond pursuant to the provisions of § 8.01-529, one dollar.
- 315 (29) For all services rendered by the clerk in any proceeding pursuant to § 57-8 or § 57-15, ten  
316 dollars.
- 317 (30) For preparation and issuance of a subpoena duces tecum or a summons for interrogation by an  
318 execution creditor, five dollars.
- 319 (31) For all services rendered by the clerk in matters filed in circuit court under § 8.01-217 relating  
320 to change of name, twenty dollars; however, this subdivision shall not be applicable in cases where the  
321 change of name is incident to a divorce.
- 322 (32) For providing court records or documents on microfilm, per frame, ten cents.
- 323 (33) In all chancery cases, the clerk's fee chargeable to the plaintiff shall be fifty dollars to be paid  
324 by the plaintiff at the time of instituting the suit, which shall include the furnishing of a duly certified  
325 copy of the final decree. However, no fee shall be charged for the filing of a cross-bill in any pending  
326 suit. In divorce cases, when there is a merger of a divorce of separation a mensa et thoro into a decree  
327 of divorce a vinculo, the above mentioned fee shall include the furnishing of a duly certified copy of  
328 both such decrees.
- 329 (34) For the acceptance of credit cards in lieu of money to collect and secure all fees, fines,  
330 restitution, forfeiture, penalties and costs in accordance with § 19.2-353.3, the clerk shall collect a  
331 service charge of four percent of the amount paid.
- 332 (35) For the return of any check unpaid by the financial institution on which it was drawn or notice  
333 is received from the credit card issuer that payment will not be made for any reason, the clerk shall  
334 collect, if allowed by the court, a fee of twenty dollars or ten percent of the amount to be paid,  
335 whichever is greater, in accordance with § 19.2-353.3.
- 336 (36) For all services rendered in an adoption proceeding, a fee of twenty dollars, in addition to the  
337 fee imposed under § 63.1-236.1, to be paid by the petitioner or petitioners.
- 338 (37) For issuing a duplicate license for one lost or destroyed as provided in § 29.1-334, a fee in the  
339 same amount as the fee for the original license.
- 340 (38) For the filing of any petition as provided in §§ 33.1-124, 33.1-125 and 33.1-129, a fee of five  
341 dollars to be paid by the petitioner; and for the recordation of a certificate or copy thereof, as provided  
342 for in § 33.1-122, as well as for any order of the court relating thereto, the clerk shall charge the same  
343 fee as for recording a deed as provided for in this section, to be paid by the party upon whose request  
344 such certificate is recorded or order is entered.
- 345 (39) For making up, certifying and transmitting original record pursuant to the Rules of the Supreme  
346 Court, including all papers necessary to be copied and other services rendered, a fee of twenty dollars.
- 347 (40) For issuance of hunting and trapping permits in accordance with § 10.1-1154, twenty-five cents.
- 348 (41) For filings, etc., under the Uniform Federal Lien Registration Act (§ 55-142.1 et seq.), the fees  
349 shall be as prescribed in that Act.
- 350 (42) ~~For filing certificates of commencement of a bankruptcy case in accordance with § 55-142.01, a~~  
351 ~~fee of one dollar.~~
- 352 (43) For filing the appointment of a resident agent for a nonresident property owner in accordance  
353 with § 55-218.1, a fee of one dollar.
- 354 (44) For filing power of attorney for service of process, or resignation or revocation thereof, in  
355 accordance with § 59.1-71, a fee of twenty-five cents.
- 356 (45) For recordation of certificate and registration of names of nonresident owners in accordance with  
357 § 59.1-74, a fee of ten dollars.
- 358 (46) For maintaining the information required under the Overhead High Voltage Line Safety Act  
359 (§ 59.1-406 et seq.), the fee as prescribed in § 59.1-411.
- 360 (47) For lodging, indexing and preserving a will in accordance with § 64.1-56, a fee of two dollars.
- 361 (48) For filing a financing statement in accordance with § 8.9-403, the fee shall be as prescribed  
362 under that section.
- 363 (49) For filing a termination statement in accordance with § 8.9-404, the fee shall be as prescribed  
364 under that section.
- 365 (50) For filing assignment of security interest in accordance with § 8.9-405, the fee shall be as  
366 prescribed under that section.
- 367 In accordance with § 14.1-133.2, the clerk shall collect fees under subdivisions (8), (15), (16), (17),

368 (20), (23) if applicable, (25), (29), (31), (33), (36), and (38) to be designated for courthouse  
369 construction, renovation or maintenance.

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

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

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

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

379 § 55-142.01. Certificates of commencement of case in bankruptcy.

380 Certificates of commencement of case, signed by clerks of bankruptcy courts or clerks of United  
381 States district courts, issued pursuant to the acts of Congress relating to bankruptcy may be filed with  
382 the clerk of the court authorized to record deeds for the county or city in which the property of the  
383 debtor, for which such certificate has been issued, is located. Such certificate shall be recorded in the  
384 deed books and properly indexed in the name of the trustee in bankruptcy in the grantee index and the  
385 debtor in the grantor index. For such recordation the clerk shall receive a fee as prescribed in  
386 *subdivision 2 of § 14.1-112.*