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## HOUSE BILL NO. 2102

House Amendments in [ ] — January 29, 1997

*A BILL to amend and reenact § 14.1-112, as it is currently effective as it may become effective, and § 14.1-123 of the Code of Virginia, [ and to amend the Code of Virginia by adding a section numbered 14.1-133.4, ] relating to increased funding for regional criminal justice training academies; fees.*

Patrons—Woodrum, Almand, Cunningham, Davies, Guest and Moore; Senators: Earley, Howell, Reynolds and Stolle

Referred to Committee on Appropriations

**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 a section numbered 14.1-133.4 ] 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,

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60 the clerk shall charge the defendant ~~thirty-five~~ *thirty-six* dollars in each case, *one dollar of which shall*  
61 *be forwarded to the State Treasurer to be used for financial support of the regional criminal justice*  
62 *training academies.*

63 In addition, in each case in which a person is convicted of a violation of any provision of Article 1  
64 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of \$100 for each felony  
65 conviction and each felony disposition under § 18.2-251 and (ii) a fee of \$100 per case for any forensic  
66 laboratory analysis performed for use in prosecution of such violation. Such fees shall be taxed as costs  
67 to the defendant and shall be paid into the general fund of the state treasury.

68 In addition, in all felony cases, including the revocation of suspension of sentence and probation held  
69 pursuant to § 19.2-306, other than a revocation for failure to pay prior court costs, the clerk shall collect  
70 and tax as costs (i) the expense of reporting or recording the trial or hearing in an amount equal to the  
71 per diem charges of the reporter or reasonable charge attributable to the cost of operating the mechanical  
72 or electronic devices in accordance with § 19.2-165, (ii) a fee of two dollars and fifty cents per charge,  
73 (iii) the fees of the attorney for the Commonwealth as provided for in § 14.1-121, (iv) the compensation  
74 of court-appointed counsel as provided in § 19.2-163, (v) the fees of the public defenders as provided  
75 for in § 19.2-163.2, (vi) the additional costs per charge imposed under § 19.2-368.18 to be deposited  
76 into the Criminal Injuries Compensation Fund, and (vii) in any court of record in which electronic  
77 devices are used for the purpose of recording testimony, a sum not to exceed twenty dollars for each  
78 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  
79 repairing, replacing or supplementing such electronic devices, or if a sufficient amount is available, to  
80 pay the purchase price of such devices in whole or in part. For the purpose of this subdivision, repairing  
81 shall include maintenance or service contracts.

82 (16) Upon conviction in misdemeanor cases, the clerk shall charge the defendant ~~twenty-five~~  
83 *twenty-six* dollars in each case. Sums shall be collected for and paid to the benefit of the Virginia Crime  
84 Victim-Witness Fund as provided in § 19.2-11.3 *and one dollar of the amount collected hereunder shall*  
85 *be forwarded to the State Treasurer to be used for financial support of the regional criminal justice*  
86 *training academies,* irrespective of whether the defendant was convicted of a misdemeanor chargeable  
87 under the Code of Virginia or pursuant to a local ordinance.

88 In addition, in each case in which a person is convicted of a violation of any provision of Article 1  
89 (§ 18.2-247 et seq.) of Chapter 7 of Title 18.2, the clerk shall assess (i) a fee of fifty dollars for each  
90 misdemeanor conviction and (ii) a fee of \$100 per case for any forensic laboratory analysis performed  
91 for use in prosecution of such violation. Such fees shall be taxed as costs to the defendant and shall be  
92 paid into the general fund of the state treasury.

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

103 (16a) Upon the defendant's being required to successfully complete traffic school or a driver  
104 improvement clinic in lieu of a finding of guilty, the court shall charge the defendant fees and costs as  
105 if he had been convicted.

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

114 (17a) In addition to the fees chargeable for actions at law, for the costs of proceedings for judgments  
115 by confession under §§ 8.01-432 through 8.01-440, the clerk shall tax as costs (i) the cost of registered  
116 or certified mail, (ii) the statutory writ tax, in the amount required by law to be paid on a suit for the  
117 amount of the confessed judgment, (iii) for the sheriff for serving each copy of the order entering  
118 judgment, one dollar and twenty-five cents, and (iv) for docketing the judgment and issuing executions  
119 thereon, the same fees as prescribed in subdivision (22) of this section.

120 (18) [Repealed.]

121 (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; 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 twenty 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 issuing a duplicate license for one 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) [Repealed.]

(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

183 § 59.1-74, a fee of ten dollars.

184 (46) For maintaining the information required under the Overhead High Voltage Line Safety Act  
185 (§ 59.1-406 et seq.), the fee as prescribed in § 59.1-411.

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

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

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

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

193 In accordance with § 14.1-133.2, the clerk shall collect fees under subdivisions (8), (15), (16), (17),  
194 (20), (23) if applicable, (25), (29), (31), (33), (36), and (38) to be designated for courthouse  
195 construction, renovation or maintenance.

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

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

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

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

205 § 14.1-112. (Delayed effective date) Clerks of circuit courts; generally.

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

208 (1) When a writing is admitted to record under Chapter 2 (§ 17-33 et seq.) of Title 17, or Chapter 5  
209 (§ 55-80 et seq.) or Chapter 6 (§ 55-106 et seq.) of Title 55, for everything relating to it, except the  
210 recording in the proper book; for receiving proof of acknowledgments, entering orders, endorsing clerk's  
211 certificate, and when required, embracing it in a list for the commissioner of the revenue, one dollar.

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

224 (3) [Repealed.]

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

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

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

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

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

238 (9) [Repealed.]

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

242 (11) For annexing the seal of the court to any paper, writing the certificate of the clerk  
243 accompanying it, the clerk shall charge two dollars, and for attaching the certificate of the judge, if the  
244 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~~ *thirty-six* dollars in each case, *one dollar of which shall be forwarded to the State Treasurer to be used for financial support of the regional criminal justice training academies.*

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.

In addition, in all felony cases, including the revocation of suspension of sentence and probation held pursuant to § 19.2-306, other than a revocation for failure to pay prior court costs, the clerk shall collect and tax as costs (i) the expense of reporting or recording the trial or hearing in an amount equal to the per diem charges of the reporter or reasonable charge attributable to the cost of operating the mechanical or electronic devices in accordance with § 19.2-165, (ii) a fee of two dollars and fifty cents per charge, (iii) the fees of the attorney for the Commonwealth as provided for in § 14.1-121, (iv) the compensation of court-appointed counsel as provided in § 19.2-163, (v) the fees of the public defenders as provided for in § 19.2-163.2, (vi) the additional costs per charge imposed under § 19.2-368.18 to be deposited into the Criminal Injuries Compensation Fund, 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-five~~ *twenty-six* dollars in each case. Sums shall be collected for the benefit of and paid to the Virginia Crime Victim-Witness Fund as provided in § 19.2-11.3 *and one dollar of the amount collected hereunder shall be forwarded to the State Treasurer to be used for financial support of the regional criminal justice training academies,* irrespective of whether the defendant was convicted of a misdemeanor chargeable under the Code of Virginia or pursuant to a local ordinance.

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 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 filed in circuit court 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 cases, 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 twenty 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 issuing a duplicate license for one 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) [Repealed.]

(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), and (38) to be designated for courthouse construction, renovation or maintenance.

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

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

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

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.

A. 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-seven~~ *twenty-eight dollars, and one dollar of the amount collected hereunder shall be forwarded to the State Treasurer to be used for financial support of the regional criminal justice training academies.*

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 ten dollars shall be taxed as costs whenever a defendant, 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.

B. Three dollars of the amount collected hereunder shall be collected for the benefit of and paid to the Virginia Crime Victim-Witness Fund as provided in § 19.2-11.3 *and one dollar of the amount collected hereunder shall be forwarded to the State Treasurer to be used for financial support of the regional criminal justice training academies*, irrespective of whether the defendant's case was processed as a violation of the Code of Virginia or as a violation of a local ordinance.

[ §14.1-133.4. *Regional Criminal Justice Academy Training Fund.*

*There is hereby created a special nonreverting fund to be administered by the Department of Criminal Justice Services, known as the Regional Criminal Justice Academy Training Fund. This Fund shall be established on the books of the Comptroller and 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. ]*

**2. That existing funding for the regional criminal justice training academies shall not be reduced by either state or local entities as a result of this act.**