

COURT COSTS AND FEES CHART

The chart below shows court costs in effect as of **July 1, 2015**,¹ and applies to all costs assessed or collected on or after that date, except where otherwise noted, and unless subject to the “waiver exception” of G.S. 7A-304(g). Changes to costs and fees for 2015 are shaded, and are tagged with bracketed notes according to the dates on which they take effect, e.g. [Oct. 1], [Dec. 1], etc. Legislation enacting new or amended cost items is cited in brackets. Items citing only a bill section (e.g., “[§ 18B.11]”) refer to sections of S.L. 2015-241 (HB 97).

An additional summary chart of criminal costs has been attached to this cost chart as “Appendix - Criminal Costs Summary.” The appendix summarizes the basic costs common to all dispositions in a particular trial division. It does not include additional cost items that must be assessed depending on individual factors for each case (e.g., FTA fees, supervision fees, jail fees, etc.) or for specific offenses of conviction (e.g. improper equipment or impaired driving); those costs are assessed separately. Neither does it apply to offenses for which the relevant statute assesses specific costs or prohibits the imposition of costs.		
CRIMINAL COURT COSTS		AMOUNT
G.S. 7A-304, unless otherwise specified		
DISTRICT COURT (including criminal cases before magistrates)		
General Court of Justice Fee. G.S. 7A-304(a)(4).	General Fund	145.05
	State Bar Legal Aid Account (LAA)	2.45
		147.50
Facilities Fee. G.S. 7A-304(a)(2).		12.00
Telecommunications and Data Connectivity Fee. G.S. 7A-304(a)(2a). ²		4.00
LEO Retirement/Insurance. G.S. 7A-304(a)(3) & (3a).		7.50
LEO Training and Certification Fee. G.S. 7A-304(a)(3b).		2.00
TOTAL		173.00
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).		+10.00 ³
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).		+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas. G.S. 7A-304(a)(1).		+5.00
SUPERIOR COURT		
General Court of Justice Fee. G.S. 7A-304(a)(4).	General Fund	152.05
	State Bar Legal Aid Account (LAA)	2.45
		154.50
Facilities Fee. G.S. 7A-304(a)(2).		30.00
Telecommunications and Data Connectivity Fee. G.S. 7A-304(a)(2a).. G.S. 7A-304(a)(2a).		4.00
LEO Retirement/Insurance. G.S. 7A-304(a)(3) & (3a).		7.50
LEO Training and Certification Fee. G.S. 7A-304(a)(3b).		2.00
TOTAL		198.00⁴
Chapter 20 Fee. G.S. 7A-304(a)(4a) (for conviction of any Chapter 20 offense).		+10.00
DNA Fee. G.S. 7A-304(a)(9) (criminal offenses, only; does not apply to infractions).		+2.00
Plus \$5.00 service fee for each arrest or service of criminal process, including citations and subpoenas.		+5.00



¹ S.L. 2015-241 was enacted on September 18, 2015 but the changes it made to court costs were made retroactively effective July 1, 2015.

² Formerly “Phone Systems Fee.”

³ The Chapter 20 fee does not apply to offenses with specified costs or exempt from costs.

⁴ When a person convicted of a felony in Superior Court has made a first appearance in District Court, all Superior Court costs plus the District Court General Court of Justice fee shall be assessed. G.S. 7A-304(a)(4).

⁵ When CAM is imposed as a condition of probation for an impaired driving offense committed prior to December 1, 2012, this fee is paid to the clerk in the county of conviction and remitted to the monitoring vendor; for offenses committed on or after that date, fees for CAM imposed as a condition of probation (for any offense) are paid directly to the monitoring vendor by the defendant (or by the local government entity agreeing to pay them), not to the clerk. G.S. 15A-1343.3(b). The fees listed here apply only to CAM as a condition of probation; there appears to be no authority to assess fees against the defendant for CAM as a condition of pretrial release.

⁶ The exact fee amount will depend on the monitoring vendor. For offenses committed prior to December 1, 2011, the total CAM fees assessable against the defendant as a condition of probation for an impaired driving offense are capped at \$1,000.00. G.S. 20-179(h1). For offenses committed on or after that date, there is no cap. S.L. 2011-191, §1 (repealing the cap language from G.S. 20-179(h1)).

⁷ Parolees’ CAM fees paid pursuant to G.S. 15A-1374(d) are paid to the clerk in the county of conviction. The exact fee amount will depend on the monitoring vendor. The clerk transmits any CAM fees collected from a parolee to the vendor. Note that this provision applies only to parolees; there is no statutory provision for the clerk to receipt CAM fees from an offender on post-release supervision.

⁸ Note that as previously written, G.S. 15A-146 explicitly required payment of the \$175.00 filing fee only for petitions to expunge charges that were dismissed as the result of compliance with a deferred prosecution. Dismissals for other reasons were exempt from the filing fee. Beginning December 1, 2014, G.S. 15A-146 now explicitly refers to dismissals for both deferred prosecutions and conditional discharges. Therefore, beginning December 1, 2014, the fee should be assessed for petitions to expunge charges that resulted in dismissals pursuant to either a deferred prosecution or a conditional discharge.

⁹ For a comprehensive list of improper equipment fees, please see “Appendix – Chapter 20 Improper Equipment Offenses.”

¹⁰ The pretrial release services fee of G.S. 7A-304(a)(5) may be assessed upon conviction and remitted to a county providing pretrial release services, if the defendant was accepted and released to the supervision of a county agency. This fee is separate from and in addition to any fees assessed directly by the county under G.S. 7A-313.1 when the defendant has received pretrial electronic monitoring by a county agency. If the defendant has been accepted and released to the supervision of a county agency that provides pretrial services that include electronic monitoring, the court should assess and receipt only the \$15.00 pretrial services fee upon conviction. Any fees assessed for electronic monitoring under G.S. 7A-313.1 must be paid directly to the county by the defendant.

¹¹ The Private Hospital Lab Fee should be assessed only when the defendant is convicted and the private hospital performed tests as part of an investigation that led to the defendant’s conviction, and the tests were of the defendant’s bodily fluid to determine the presence of alcohol or controlled substance. The Court also must find that the work performed is “the equivalent of the same kind of work performed by the North Carolina State Crime Laboratory under subdivision (7) of [G.S. 7A-304(a)].”

¹² The State Lab Analyst Expert Witness fee is assessed in addition to the State Crime Lab fee of G.S. 7A-307(a)(7), but the expert witness fee applies only when the expert witness: (i) is employed by the State Crime Lab; (ii) completed a chemical analysis pursuant to G.S. 20-139.1 or a forensic analysis pursuant to G.S. 8-58.20; and (iii) provided testimony about that analysis in the defendant’s trial.

¹³ The Local Lab Analyst Expert Witness fee is assessed in addition to the Local Crime Lab fee of G.S. 7A-307(a)(8), but the expert witness fee applies only when the expert witness: (i) is employed by a crime laboratory operated by a local government or group of local governments; (ii) completed a chemical analysis pursuant to G.S. 20-139.1 or a forensic analysis pursuant to G.S. 8-58.20; and (iii) provided testimony about that analysis in the defendant’s trial.

¹⁴ The Private Hospital Analyst Expert Witness Fee may be assessed in addition to the Private Hospital Lab Fee of G.S. 15A-304(a)(8a) but the fee applies only when the expert witness provides testimony at the defendant's trial about a chemical analysis conducted pursuant to G.S. 20-139.1.

¹⁵ Note that the bill of costs (AOC-CR-381) does not have a pre-printed entry for the costs applicable to offenses for adult front-seat seat belt violations and motorcycle/moped helmet and occupancy violations. Clerks should assess the three costs identified individually on the bill of costs. These three cost items are the only costs to be assessed for these offenses. Do not assess any of the other costs under G.S. 7A-304(a). However, pursuant to G.S. 7A-304(b), the three costs are cumulative on appeal. *E.g.*, a defendant found responsible for a motorcycle helmet violation in Superior Court after appeal from the District Court would pay a fine of \$25.50 plus \$296.00 in costs: both General Court of Justice fees, plus two assessments (one for District Court and one for Superior Court) of both the Telecommunications and Data Connectivity Fee and the LEO Training and Certification Fee.

¹⁶ SL 201-241 made changes to G.S. 7A-304(a) resulting in a net increase in fees owed by defendants charged with standalone violations of G.S. 20-135.2A and 20-140.4. In order to be eligible for the G.S. 7A-304(g) waiver exception, the citation must have been issued on or before June 30, 2015, judgment must have been entered before October 30, 2015, and the defendant cannot have failed to appear.

¹⁷ For districts that still operate a worthless check program, the clerk should continue to receipt the worthless check program fee of G.S. 7A-308(c) and remit it to the State. The amount of the fee remains \$60.00. In addition, G.S. 14-107.2 allows a community mediation center to assist the NCAOC and district attorneys by establishing a worthless check program in districts where such programs have not been established and to charge for its services as part of such a program. However, the fees for such services are not set by statute, and are not to be receipted by the clerk. The center must assess its fees directly for users of its services in these cases. Further, the clerk should not assess the criminal mediation fee of G.S. 7A-38.7 when a community mediation center mediates a worthless check matter in the context of a pre-prosecution worthless check program. The clerk may receipt and disburse only the statutory program fee of G.S. 7A-308(c) and restitution to the check taker for the amount of the check plus any service charges and processing fees incurred or charged by the check taker.



Appendix - Criminal Costs Summary
In Effect As Of August 1, 2013

Category¹	Total Amount	Amounts & Amount Descriptions			
District Court Infraction (IFC/IF_)	178.00	147.50	GCJ	5.00	Service
		12.00	Facilities		
		4.00	TCD		
		7.50	LEO Retirement		
		2.00	LEO Training		
District Court Infraction Chapter 20 Offense (IFTC/IFT_)	188.00	147.50	GCJ	5.00	Service
		12.00	Facilities	10.00	Chapter 20
		4.00	TCD		
		7.50	LEO Retirement		
		2.00	LEO Training		
District Court Misdemeanor (CRDC/CRD_)	180.00	147.50	GCJ	5.00	Service
		12.00	Facilities	2.00	DNA
		4.00	TCD		
		7.50	LEO Retirement		
		2.00	LEO Training		
District Court Misdemeanor Chapter 20 Offense (CRTC/CRT_)	190.00	147.50	GCJ	5.00	Service
		12.00	Facilities	2.00	DNA
		4.00	TCD	10.00	Chapter 20
		7.50	LEO Retirement		
		2.00	LEO Training		
<u>without</u> Superior Court First Appearance in District Court (CRSC/CRS_)	205.00	154.50	GCJ	5.00	Service
		30.00	Facilities	2.00	DNA
		4.00	TCD		
		7.50	LEO Retirement		
		2.00	LEO Training		
<u>without</u> Superior Court First Appearance in District Court Chapter 20 Offense	215.00	154.50	GCJ	5.00	Service
		30.00	Facilities	2.00	DNA
		4.00	TCD	10.00	Chapter 20
		7.50	LEO Retirement		
		2.00	LEO Training		
<u>with</u> Superior Court First Appearance in District Court (CRDS)	352.50	154.50	GCJ (Sup)	5.00	Service
		147.50	GCJ (Dist)	2.00	DNA
		30.00	Facilities		
		4.00	TCD		
		7.50	LEO Retirement		
		2.00	LEO Training		
<u>with</u> Superior Court First Appearance in District Court Chapter 20 Offense	344.50	154.50	GCJ (Sup)	5.00	Service
		147.50	GCJ (Dist)	2.00	DNA
		30.00	Facilities	10.00	Chapter 20
		4.00	TCD		
		7.50	LEO Retirement		
		2.00	LEO Training		

¹ These totals do not apply to offenses for which specific court costs are assessed, such as adult front seat belt offenses, G.S. 20-135.2A, or offenses that do not bear court costs, such as failure to burn headlights with wipers on, G.S. 20-129(a)(4). Nor do they include the \$50.00 that must be assessed for conviction of an improper equipment offense, per G.S. 7A-304(a)(4b), or the impaired driving fee of \$100.00 under G.S. 7A-304(a)(10).

Category	Total Amount	Amounts & Amount Descriptions			
Superior Court Infraction Appealed from District Court for Trial De Novo (IFDA)	368.50	147.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	TCD (Dist)	4.00	TCD (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)		
		5.00	Service		
Superior Court Infraction Appealed from District Court for Trial De Novo Chapter 20 Offense (IFTA)	388.50	147.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	TCD (Dist)	4.00	TCD (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)	10.00	Chapter 20 (Sup)
		5.00	Service		
		10.00	Chapter 20 (Dist)		
Superior Court Misdemeanor Appealed from District Court for Trial De Novo (CRDA)	372.50	147.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	TCD (Dist)	4.00	TCD (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)	2.00	DNA (Sup)
		5.00	Service		
		2.00	DNA (Dist)		
Superior Court Misdemeanor Appealed from District Court for Trial De Novo Chapter 20 Offense (CRTA)	392.50	147.50	GCJ (Dist)	154.50	GCJ (Sup)
		12.00	Facilities (Dist)	30.00	Facilities (Sup)
		4.00	TCD (Dist)	4.00	TCD (Sup)
		7.50	LEO Retirement	2.00	LEO Training (Sup)
		2.00	LEO Training (Dist)	2.00	DNA (Sup)
		5.00	Service	10.00	Chapter 20 (Sup)
		2.00	DNA (Dist)		
		10.00	Chapter 20 (Dist)		



Appendix - Chapter 20 Improper Equipment Offenses

Set out below is a table of Chapter 20 “improper equipment offenses.”

Effective for costs assessed or collected on or after August 1, 2011 (unless the waiver exception of G.S. 7A-304(g) applies for a process issued prior to that date), a defendant who is found guilty or responsible for an “improper equipment offense” under Chapter 20 must pay a fee of \$50.00 in addition to the standard Chapter 20 criminal/infraction costs amount. See G.S. 7A-304(a)(4b). The office of the Clerk of Superior Court will remit this additional \$50.00 to State Treasurer for the support of the General Court of Justice. *Id.*

The Chief District Court Judges traditionally have limited “improper equipment offenses” on the list of waivable traffic offenses to equipment violations found in Part 9 of Article 3 of Chapter 20.² The judges have, however, distinguished “equipment violations” in Part 9 from “height, length and width” violations in Part 9.³ Using the waiver list as guidance, the NCAOC interprets the “improper equipment” fee to apply to any offense in Part 9 *other* than (i) violations relating to vehicle height, length and width and (ii) violations that otherwise could be considered equipment violations, but for which the equipment element of the offense is derivative of the height, width or length nature of the offense. An example of the latter would be violations of G.S. 20-117 (flags and lights at the end of loads), for which the equipment (the flag) is required only because of a load that has extended the overall length of the vehicle.

For each improper equipment offense, the table lists the statutory citation, the offense code description (or simply a brief description of the offense if there is no offense code for the violation), and the offense code (if one exists).

Statute	Description	Offense Code
G.S. 20-116(g)	IMPROPER LOADING/COVERING VEH	4425
G.S. 20-117.1(a)	BUS, TRUCK OR TRUCK TRACTOR MIRROR VIOLATION	None
G.S. 20-120	FLAT TRUCK OR TOBACCO TRUCK LOAD VIOLATION	None
G.S. 20-121.1	LOW-SPEED VEHICLE EQUIPMENT VIOLATION	None
G.S. 20-122	TIRE RESTRICTIONS EQUIP VIOL	4421
G.S. 20-122.1	UNSAFE TIRES	4462
G.S. 20-123	IMPROPER TOWING	4413
G.S. 20-123.1	IMPROPER STEERING MECHANISM	4423
G.S. 20-123.2	IMPROPER EQUIP - SPEEDOMETER	4418
G.S. 20-124	IMPROPER BRAKES	4488
G.S. 20-125	HORN AND WARNING DEVICE VIO	4404
G.S. 20-125.1	DIRECTIONAL SIGNALS EQUIP VIOL	4426
G.S. 20-126	MIRROR VIOLATION	4407
G.S. 20-127(a)	WINDSHIELD WIPER EQUIP VIOL	4490
G.S. 20-127(b1)	WINDSHIELD TINTING VIOL COMMERCIAL VEHICLE	5671
G.S. 20-127(d)	WINDOW TINTING VIOL	5596
G.S. 20-128	IMPROPER MUFFLER	4486
G.S. 20-128.1	EMISSIONS CONTROL VIOLATION	None
G.S. 20-129(a) ⁴	FAIL TO BURN HEADLAMPS	4445
G.S. 20-129(b)	DRIVE WITHOUT TWO HEADLAMPS	4492
G.S. 20-129(c)	MOTORCYCLE FAIL BURN HEADLAMP	4422
G.S. 20-129(d)	MOTORCYCLE FAIL BURN TAILLIGHT	4424
G.S. 20-129(d)	REAR LAMPS VIOLATION	4427

² See, e.g., the 2011 edition of Traffic Offenses for which Court Appearance May Be Waived (December 1, 2011), Item B.39., at: http://www.nccourts.org/Courts/Trial/Documents/01_traffic-2011.pdf.

³ See, e.g., the 2011 edition of Traffic Offenses for which Court Appearance May Be Waived (December 1, 2011), Item B.38.

⁴ The table does not include a violation of G.S. 20-129(a)(4) (offense code 4446), for failing to burn headlights when windshield wipers are in use, because the statute prohibits the assessment of court costs for that offense.

Statute	Description	Offense Code
G.S. 20-129(e)	BICYCLE LIGHT VIOLATION	None
G.S. 20-129(f)	FARM TRACTOR OR OTHER VEHICLE LIGHT VIOLATION	None
G.S. 20-129(g)	BRAKE/STOP LIGHT EQUIP VIOL	4429
G.S. 20-129.1	ADDITIONAL LIGHTING EQUIP VIOL	4435
G.S. 20-129.2	MOBILE HOME LIGHTING VIOLATION	None
G.S. 20-130	SPOT LAMP OR AUXILIARY LAMP VIOLATION	None
G.S. 20-130.1(e)	USE OF RED OR BLUE LIGHT	5576
G.S. 20-130.2	AMBER LIGHT VIOLATION	None
G.S. 20-130.3	WHITE LIGHT REAR – DRIVE FORWARD	4436
G.S. 20-131(a)	FAILURE TO DIM LIGHTS MEET VEH	4554
G.S. 20-131	HEADLAMP OR AUXILIARY LAMP VIOLATION (OTHER THAN FAILURE TO DIM LIGHTS UNDER CODE 4554)	None
G.S. 20-132	ACETYLENE LIGHTS VIOLATION	None
G.S. 20-134	NO LIGHTS ON PARKED VEHICLE	4481
G.S. 20-134(b)	RURAL LETTER CARRIER VEHICLE OR NEWSPAPER DELIVERY VEHICLE LIGHT VIOLATION	None
G.S. 20-135	DOOR, WINDOW, WINDSHIELD, WING OR PARTITION GLASS VIOLATION	None
G.S. 20-135.2	FRONT SEAT BELT CONSTRUCTION OR INSTALLATION VIOLATION	None
G.S. 20-135.3	REAR SEAT BELT CONSTRUCTION OR INSTALLATION VIOLATION	None
G.S. 20-136	SMOKE SCREEN DEVICE VIOLATION	None
G.S. 20-136.2	AIR BAG INSTALLATION VIOLATION	None
G.S. 20-137.1(a)	FAIL TO SECURE PASSENGER UNDER 16	4472
G.S. 20-137.2	LAW ENFORCEMENT VEHICLE RESEMBLANCE VIOLATION	None

