

ORDINANCE NO. 84-44

AN ORDINANCE RELATING TO THE INCREASE OF FILING FEES OF CIVIL CASES IN COUNTY COURT AND CIRCUIT COURT OF CALHOUN COUNTY; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR THE REPEAL OF CALHOUN COUNTY ORDINANCE NO. 83-3

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CALHOUN COUNTY FLORIDA:

Section 1. Calhoun County Ordinance No. 83-3 is hereby repealed in its entirety;

Section 2. Calhoun County hereby increases the filing fees of Civil cases in County Court and Circuit Court of Calhoun County as authorized by the provisions of §23.241 and §34.041 Chapter 74-154; Florida Statutes.

2000  
1-28-00

Section 3. The party instituting any civil action suit or proceeding in the Circuit Court shall pay to the Clerk of said Court, a service charge of Thirty-Six and 50/100 (\$36.50) Dollars in all cases in which there are more than five (5) Defendants, and an additional service charge of One Dollar (\$1.00) for each Defendant in excess of five (5).

Section 4. The party instituting any civil action, suit or proceeding in the County Court shall pay the following filing fees when filing this action, suit or proceeding:

- (a) For all claims less than One Hundred and no/100 (\$100.00) Dollars-----\$11.00
- (b) For all claims of One Hundred and no/100 (\$100.00) Dollars and less than One Thousand and no/100 (\$1,000.00) Dollars-----\$21.00
- (c) For all claims of One Thousand and no/100 (\$1,000.00) Dollars or more-----\$26.00
- (d) In addition, for all proceedings of garnishment, attachment, replevin and distress-----\$20.00

Section 5. All fees herein provided that are in excess of those stated in the above Florida Statutes shall be applied as follows:

- (a) The remainder of the excess fees shall be used in a Legal Aid program in and for Calhoun County, Florida, where there is a conflict of interest between the Public Defenders' Office and in indigent Calhoun County criminal defendant and the Public Defender cannot, because of the conflictive interest, represent the Defendant at the trial level;
- (b) The Clerk of the Circuit Court and County Court shall deposit the excess fees in a separate fund labeled "Legal Aid", and shall distribute to Legal Services of North Florida, on a quarterly basis, beginning with the calender quarter following the effective date of this Ordinance, their share as outlined above; there shall be no distinction between the monies collected from either court as applicable to the attorney's fees allowed in either court.

Section 6. If any Section, sub-section, sentence, clause, provision or a part of this Ordinance, shall be held invalid for any reason, the remainder of this Ordinance shall not be affected thereby but shall remain in full force and effect.

Section 7. This Ordinance shall become effective \_\_\_\_\_ 1984.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 1984.

BOARD OF COUNTY COMMISSIONERS  
OF CALHOUN COUNTY, FLORIDA

BY:

ATTEST:

\_\_\_\_\_  
WILLIE D. WISE, Clerk

\_\_\_\_\_  
DREW PEACOCK, JR., Chairman

STATE OF FLORIDA  
COUNTY OF CALHOUN

I, WILLIE D. WISE, Clerk of the Board of County Commissioners in and for the County and State aforesaid, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance as the same was duly adopted and passed at a regular meeting of the Board on the \_\_\_\_\_ day of \_\_\_\_\_, 1984 and as the same appears on the record in my office.

IN WITNESS I hereunto set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 1984.

\_\_\_\_\_  
WILLIE D. WISE  
Clerk of the Board of County  
Commissioners of Calhoun County,  
Florida