

FEE SCHEDULE
 CLERK OF THE DISTRICT COURT
 SEC. 25-1-201, 25-1-202, 3-1-317, 50-15-301, 25-9-506, MCA
 EFFECTIVE OCTOBER 1, 2005

ADOPTIONS - filing Petition	\$105.00
AMENDMENT OF PARENTING PLAN - contested only (does not apply to cases dealing with child support only)	\$120.00
APPEAL FROM LOWER COURT - does not apply to Small Claims cases	\$30.00
APPEAL FROM DISTRICT COURT TO SUPREME COURT - cost of mailing case to Supreme Court can also be required	\$5.00
APPEARANCE - For the appearance of each defendant or each respondent	\$70.00
AUTHENTICATION/EXEMPLIFICATION - For authenticated or exemplified copies for out of state jurisdictions	\$6.00
CERTIFICATION - For certification with a seal	\$2.00
CIVIL COMMENCEMENT OF ACTION - For each action or proceeding from the plaintiff, petitioner, or appellant (includes Invalidity)	\$120.00
COPY OF DECREE OF DISSOLUTION – For each copy of a decree (separately filed parenting plans or property settlement agreements not included) (does not include certification)	\$10.00
COPY OF MARRIAGE LICENSE – For each copy of a marriage license (does not include certification)	\$5.00
COPIES OF OTHER DOCUMENTS - \$1.00 per page for first ten pages, \$.50 per page thereafter	
DECLARATION OF MARRIAGE - For filing and recording the declaration	\$53.00
DISSOLUTION COMMENCEMENT OF ACTION - For filing Petition (Includes Summary and Joint Dissolution)	\$200.00
EXECUTIONS/WRITS OF ASSISTANCE/ORDERS OF SALE - For Issuance	\$5.00
FOREIGN CAPITAL DEPOSITORY JUDGMENT - For filing the judgment	\$2,500.00
FOREIGN JUDGMENT - For filing authenticated copy and docketing (no cost for registering out of state custody decrees & support orders, 40-5-173, MCA)	\$90.00
FOREIGN PROBATE - with certificate	\$85.00
INTERVENTION COMPLAINT - For filing a complaint in intervention	\$80.00
JUDGMENTS - for entry of judgment from prevailing party	\$45.00
LEGAL SEPARATION COMMENCEMENT OF ACTION - For filing petition	\$180.00
MARRIAGE LICENSE ISSUANCE - For issuing, filing and recording marriage	\$53.00
NOTARIZATION/OATH AND JURAT - For each Notarization with Court seal	\$1.00
PROBATE/GUARDIANSHIP/CONSERVATORSHIP COMMENCEMENT OF ACTION - For filing Formal/Informal or Ancillary Petition	\$100.00
PROCESS SERVER REGISTRATION - For registration	\$100.00
SEARCHES - \$2.00 per name per year up to 7 years, \$1 per name thereafter (no maximum charge limit)	
SUBSTITUTION OF JUDGE - For each motion filed (not in criminal cases)	\$100.00
TRANSCRIPT/ABSTRACT OF JUDGMENT - For preparation of a transcript	\$4.00
For filing a transcript from another jurisdiction	\$45.00
TRANSMISSION OF RECORD OR FILES OR TRANSFER OF A CASE TO ANOTHER COURT (includes removals to Federal District Court and forwarding appeals to Supreme Court)	5.00
VENUE CHANGE - For filing from another district court (incoming)	\$10.00
For sending file to another jurisdiction (outgoing)	\$5.00

2005 DISTRICT COURT FEES STATUTE CITATIONS

Adoptions (\$105.00)

\$75.00 filing fee - 25-1-201(1)(q) MCA
\$20.00 court reporter fee - 25-1-202 MCA
\$10.00 user surcharge (automation fee) - 3-1-317 MCA

Amendment of Parenting Plan (contested only) (\$120.00)

\$120.00 filing fee - 25-1-201(1)(a) MCA

Appeal from Justice Court to District Court (\$30.00)

\$ 10.00 transfer fee - 25-1-201(1)(k) MCA
\$ 20.00 court reporter fee - 25-1-202 MCA

Appeal to Supreme Court from District Court (\$5.00)

\$ 5.00 transmission fee - 25-1-201(1)(j) MCA

Appearances (\$70.00)

\$60.00 filing fee - 25-1-201(1)(b) MCA
\$10.00 user surcharge (automation fee) - 3-1-317 MCA

Authentications/Exemplifications (\$6.00)

\$2.00 per certificate with seal (x 3) - 25-1-201(1)(e) MCA

Certifications (\$2.00)

\$2.00 certificate with seal - 25-1-201(1)(e) MCA

Civil Commencement of Action (\$120.00)

\$90.00 filing fee - 25-1-201(1)(a) MCA
\$20.00 court reporter fee - 25-1-202 MCA
\$10.00 user surcharge (automation fee) - 3-1-317 MCA

Copies (based on actual number of copies or type of document)

Copy of Decree of Dissolution \$10.00 – 25-1-201(2)(d)(ii)
Copy of Marriage License \$5.00 - 25-1-201(2)(d)(ii)
Other copies \$1.00 per page for 1st ten pages, \$.50 per page thereafter - 25-1-201(1)(d)(I) MCA

Declaration of Marriage without Solemnization (\$53.00)

\$53.00 filing fee - 25-1-201(1)(o) MCA

Dissolution Commencement of Action (\$200.00)

\$170.00 filing fee - 25-1-201(1)(a) MCA
\$ 20.00 court reporter fee - 25-1-202 MCA
\$ 10.00 user surcharge (automation fee) - 3-1-317 MCA

Executions/Orders of Sale (\$5.00)

\$ 5.00 issuance fee - 25-1-201(1)(I) MCA

Foreign Capital Depository Judgment (\$2,500.00)

\$2,500.00 filing fee - 25-9-506(2) MCA

Foreign Judgments (\$90.00)

\$60.00 filing fee - 25-9-506(1) MCA
\$20.00 court reporter fee - 25-1-202, MCA

\$10.00 user surcharge (automation fee) - 3-1-317 MCA

Foreign Probates (\$85.00)

\$55.00 filing fee - 25-1-201(1)(n) MCA

\$20.00 court reporter fee - 25-1-202 MCA

\$10.00 user surcharge (automation fee) - 3-1-317 MCA

Invention Complaint (\$80.00)

\$80.00 filing fee - 25-1-201(1)(a) MCA

Judgments (\$45.00)

\$45.00 filing fee - 25-1-201(1)© MCA and 25-1-201(1)(h) MCA

Legal Separation Commencement of Action (\$180.00)

\$150.00 filing fee - 25-1-201(1)(a) MCA

\$ 20.00 court reporter fee - 25-1-202 MCA

\$ 10.00 user surcharge (automation fee) - 3-1-317 MCA

Marriage License Issuance (\$53.00)

\$53.00 license issuance fee - 25-1-201(1) MCA

Notarization/Oath and Jurat (\$1.00)

\$1.00 fee - 25-1-201 (1)(f) MCA

Probate/Guardianship/Conservatorship Commencement of Action (\$100.00)

\$70.00 filing fee - 25-1-201(1)(m) MCA

\$20.00 court reporter fee - 25-1-202 MCA

\$10.00 user surcharge (automation fee) - 3-1-317 MCA

Process Server Registration (\$100.00)

\$100.00 filing fee - 25-1-1103(1) MCA (renewal 25-1-1103(2) MCA)

Searches (based on actual number of copies)

\$ 2.00 per name per year for 7 years, \$1.00 per name thereafter - 25-1-201(1)(g) MCA

Substitution of Judge (\$100.00)

\$100.00 filing fee - 25-1-201(1)(p) MCA

government agencies not exempt - 25-10-405 MCA

Transcript/Abstract of Judgment (\$4.00 to prepare/ \$45.00 to file from another jurisdiction)

Prepare - ??? – (certification with a seal 25-1-201(1)(e) MCA and copies 25-1-201(1)(d) MCA?)

File – 25-1-201(1)(h) MCA

Venue Change or Transfer of Record (\$10.00 incoming/ \$5.00 outgoing)

\$10.00 filing fee for transfer from another district court - 25-1-201(1)(k) MCA

\$ 5.00 transfer fee to another court (appeal/venue/removal) - 25-1-201(1)(j) MCA

Waiver of Filing Fees

Indigent (poor) persons - 25-10-404 MCA

Governmental entity - 25-10-405 MCA (does pay for motion for substitution, copies, postage, certifications, authentications and record searches)

