



Montana Association of Counties
2715 Skyway Drive
Helena, MT 59602-1213
(p) 406.449.4360 | (f) 406.442.5238
maco@mtcounties.org www.mtcounties.org

EXHIBIT 1
DATE 1/21/2013
HB 206

RESOLUTION 2012 - 09

JUSTICE COURT FILING FEES

It is the intent of the Montana Association of Counties to attempt to seek legislation to increase the current filing fees enumerated in M.C.A. 25-31-112 and M.C.A. 25-35-608.

WHEREAS, Justice Court Subject Matter Jurisdiction was increased in M.C.A. 3-10-301 from \$7,000 to \$12,000; and the subject matter jurisdiction of the Small Claims Division of the Justice Court, M.C.A.3-10-1004, from \$3,500 to \$7,000; and

WHEREAS, pursuant to M.C.A. 3-10-601, the enumerated fees collected shall be credited to the general fund of the county; and

WHEREAS, Justice Courts and the Small Claims Division of the Justice Court have seen an increase in case filings and operating costs with the increase in Justice Court Subject Matter Jurisdiction; and

WHEREAS, the filing fees for Justice Court actions and Small Claims actions have not been adjusted by the Montana Legislature since 1989; and

NOW, THEREFORE, BE IT RESOLVED, that the Montana Association of County shall seek legislation to increase the current filing fees enumerated in M.C.A. 25-31-112 and M.C.A. 25-35-608.

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| SPONSOR: | Lewis & Clark County |
| RECOMMENDATION: | Do Pass |
| REFERRED TO: | MACo Justice & Public Safety Committee MACo Tax Budget & Finance Committee |
| ADOPTED: | Annual Conference, Great Falls, MT, September 26, 2012 |