

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

H

1

HOUSE BILL 2097

Short Title: Probationer Search Fee.

(Public)

Sponsors: Representative Hall.

Referred to: Judiciary.

May 24, 1990

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT PROBATIONERS REQUIRED TO MAKE PAYMENTS TO THE CLERK OF COURT MUST PROVIDE THE CLERK WITH THE CASE DOCKET NUMBER OR BE CHARGED A FEE FOR THE CLERK'S SEARCH.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15A-1343 is amended by adding a new subsection to read:

"(h) Whenever a person placed on probation is required as a condition of that probation to pay any moneys to the clerk of superior court, that person shall provide the clerk of court with the docket number of his case upon presenting payment. Whenever a person presents payment without supplying this information, the clerk shall assess and collect the sum of two dollars (\$2.00) before accepting payment."

Sec. 2. G.S. 7A-308(a) reads as rewritten:

"(a) The following miscellaneous fees and commissions shall be collected by the clerk of superior court and remitted to the State for the support of the General Court of Justice:

- (1) Foreclosure under power of sale in deed of trust or mortgage \$25.00
Plus if the property is sold pursuant to the power of sale, an additional sum of thirty cents (30¢) per one hundred dollars (\$100.00), or major fraction thereof, of the final sale price shall be collected. In no case shall the additional sum exceed two hundred dollars (\$200.00).
- (2) Proceeding supplemental to execution 20.00
- (3) Confession of judgment 15.00
- (4) Taking a deposition 5.00

- 1 (5) Execution 15.00
2 (6) Notice of resumption of former name 5.00
3 (7) Taking an acknowledgment or administering an oath, or both, with or
4 without seal, each certificate (except that oaths of office shall be
5 administered to public officials without charge) 1.00
6 (8) Bond, taking justification or approving 5.00
7 (9) Certificate, under seal 2.00
8 (10) Exemplification of records 5.00
9 (11) Recording or docketing (including indexing) any document
10 – first page 4.00
11 – each additional page or fraction thereof .25
12 (12) Preparation of copies
13 – first page 1.00
14 – each additional page or fraction thereof .25
15 (13) Preparation and docketing of transcript of judgment 5.00
16 (14) Substitution of trustee in deed of trust 5.00
17 (15) Execution of passport application – the amount allowed by federal law
18 (16) Repealed by Session Laws 1989, c. 783, s. 2.
19 (17) Criminal record search except if search is requested by an agency of
20 the State or any of its political subdivisions or by an agency of the
21 United States or by a petitioner in a proceeding under Article 2 of
22 General Statutes Chapter 20 5.00
23 (18) Filing the affirmations, acknowledgments, agreements and resulting
24 orders entered into under the provisions of G.S. 110-132 and G.S. 110-
25 133 4.00
26 (19) Repealed by Session Laws 1989, c. 783, s. 3.
27 (20) Search fee for probationers failing to present docket number to the
28 clerk as required by G.S. 15A-1343(h) 2.00."
29 Sec. 3. This act shall become effective July 1, 1990.