

**CRIMINAL & TRAFFIC DIVISION
COST SCHEDULE**

**Delaware Municipal Court
Delaware County, Ohio**

Effective December 10, 2010

Basic costs in parking-violation cases (plus service fee)	\$ 55.00
Basic costs in tax cases (plus service fee)	\$ 55.00
Basic costs in seatbelt cases	\$ 80.00

Basic costs in all *other* criminal and traffic cases (these costs are assessed on each charge in the complaint or traffic citation):

Local costs	\$ 55.00
Computerized legal research fee (R.C. 1901.261(A) & (B))	\$ 13.00
Special Projects Fund (R.C. 1901.26(B)(1))	\$ 12.00
Total local costs for criminal & traffic cases	\$ 80.00

Plus, at the earlier of (1) the time when bail is posted or (2) the time when the defendant is convicted, the Clerk will collect:

Additional cost for any case involving a moving traffic offense (\$9 to the state victims reparation fund (R.C. 2743.70(A)(1)(b)); \$20 to the state indigent defense support fund (R.C. 2949.091(A)(1)(a)(ii)); \$10 to various state and municipal funds (R.C. 2949.094(A)))	\$ 39.00
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Note: If bail is posted in the case, the \$25 bail surcharge listed below must also be paid.

Additional cost for any case involving a non-traffic misdemeanor (\$9 to the state victims reparation fund (R.C. 2743.70(A)(1)(b)); \$20 to the state indigent defense support fund (R.C. 2949.091(A)(1)(a)(ii)))	\$ 29.00
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Note: If bail is posted in the case, the \$25 bail surcharge listed below must also be paid.

Additional cost for any case involving a non-moving traffic offense (\$10 to the state indigent defense support fund (R.C. 2949.091(A)(1)(a)(iii)))	\$ 10.00
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Other Costs

Absentia, Plea in – see Plea in Absentia

Appeals

Filing of notice of appeal	\$ 65.00
Filing of notice of cross-appeal	\$ 25.00
Motion for stay of judgment pending appeal	\$ 15.00

Audio recording of court proceeding – see Copies

Bad checks – see Checks

Bail surcharge

(must be paid to the Clerk whenever bail is posted for any offense other than a non-moving traffic offense) (R.C. 2937.22(B))	\$ 25.00
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Bail forfeiture – see Bond

Bind-Over Fee (charged when the court holds a preliminary hearing in a felony case and finds probable cause to believe that a felony has been committed)	\$ 15.00
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Bond forfeiture

(as a result of a failure to appear for a court proceeding)	\$ 20.00
(as part of a negotiated plea)	\$ 10.00

Bureau of Motor Vehicles (BMV) matters (filed in the civil division)

Appeal of a 12-point license suspension	\$100.00
Application for driving privileges during a BMV-imposed suspension	\$ 90.00
Reinstatement-fee payment plan application (R.C. 4510.10)	\$ 90.00
(a single \$90 fee will be charged if an applicant requests <u>both</u> driving privileges and a reinstatement-fee payment plan)	

Cancellation of operator's license – see Operator's license

Checks that are returned for insufficient funds, are drawn on closed accounts, or for which the drawer stops payment	\$ 30.00
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Collection fee – see Unpaid

Commitment, preparation of (enforcing a court order imposing jail days)	\$ 10.00
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Community Control fee	\$ 25.00/month
(for separate fee if EMHA ordered – see Electronically-monitored)	

Community Control violation fee (charged to the defendant whenever a community control officer files a violation notice)	\$ 20.00
Contempt Charged to the defendant when the community-control office or the company that immobilizes vehicles asks that the defendant be held in contempt for an alleged failure to comply with a court order	\$ 25.00
Continuance – see Motions	
Copies (<i>plus</i> service fee if the copies are not picked up from the Clerk’s office)	
Certified copy of a court record (plus the per-page cost of the copies)	\$ 3.00
Exemplified copy of a judgment entry (a copy signed by the Clerk and a judge)	\$ 25.00
Photocopy (per page)	\$ 0.05
Printout of court docket (per page)	\$ 0.25
Video and audio recording of court proceeding	\$ 5.00
Credit card fee (charged whenever a credit card is used to pay any amount owed to the Clerk)	\$ 5.00
Credit card stop-payment fee (charged if a payment is made by credit card and then the cardholder disputes the payment amount)	\$100.00
Delinquent payment fee – see Unpaid	
Demand for jury or non-jury trial	\$ 10.00
Discharge from the jail, order for	\$ 5.00
Diversion program	\$150.00
Driver’s license cancellation – see Operator’s license	
Driving privileges during administrative license suspension or court suspension, application for (must include proof of current car insurance)	\$ 30.00

Note: An additional \$30 charge will be imposed whenever the defendant requests a change in a previously-granted privilege order, and also when privileges are requested for a court-imposed suspension after an earlier request for privileges during an ALS.

Driving privileges during a BMV-imposed suspension – see Bureau

Driving privileges with ignition interlock or SCRAM ordered in OVI cases (includes \$2.50 to state highway safety fund and \$2.50 to Special Projects Fund) (R.C. 4510.13(A)(9))	\$ 5.00
Electronically-monitored house arrest (EMHA) fee (<i>plus</i> the daily cost of the monitoring equipment)	\$ 3.00/day
Exemplified copy – see Copies	
Expungement, application for – see Sealing	
Felony – see Bind-Over	
Forfeiture of operator’s license – see Operator’s	
Grand jury – see Bind-Over	
Hearing – see Motion hearing	
Ignition interlock ordered in OVI cases – see Driving privileges	
Immobilization fee (<i>plus</i> the amounts payable to the immobilizing company and later to the BMV)	\$ 15.00
Immobilization, waiver of – see Waiver	
Installment fee – see Unpaid	
Interest charged on unpaid fines and costs – see Unpaid	
Insurance, failure to provide proof of car insurance in connection with a traffic offense	\$ 5.00
Jail commitment – see Commitment	
Jail release – see Discharge	
Jury demand – see Demand	
Jury fees (daily fee assessed for – and payable to – each juror and alternate juror selected for jury service)	\$ 40.00
Jury venire (daily fee assessed for – and payable to – each person who appears for jury duty when (1) the case is resolved or continued on the day	\$ 25.00

of trial before a jury is seated, and (2) the trial judge determines that costs should be charged

License cancellation or forfeiture – see Operator’s

Mileage – see Service or delivery fees; see also Subpoena

Motions

Continuance of an arraignment	\$ 5.00
Continuance of any other scheduled event (the fee is not charged for the prosecutor’s motions)	\$ 20.00
Post-judgment motion, including a motion to modify a sentence	\$ 15.00

Stay of judgment pending appeal – see Appeals

Motion hearing (charged when the court holds a hearing on a motion, including a motion to suppress) \$ 10.00

Notice that a warrant has been ordered \$ 10.00

Operator’s license cancellation \$ 25.00

Operator’s license cancellation, notice of \$ 10.00

Operator’s license cancellation, release of \$ 20.00

Payment by credit card – see Credit card

Plea in Absentia Under Traffic Rule 12 \$100.00

Photocopies – see Copies

Preliminary hearing – see Bind-Over

Probation fee – see Community Control

Probation violation – see Community Control violation fee

Proof of insurance, failure to provide – see Insurance

Public defender application fee (R.C. 120.36) \$ 25.00

Recording of court proceeding – see Copies

SCRAM ordered in OVI cases – see Driving privileges

Sealing of conviction record or bail forfeiture record (R.C. 2953.32(C)(3))	\$ 50.00
Sealing of record after not-guilty finding or dismissal of complaint	\$ 25.00
Service or delivery fees (a separate charge is assessed for <u>each party</u> upon whom service is requested)	
Certified mail	\$ 12.00
Express mail	[at current U.S. Postal Service rate]
Ordinary mail	\$ 4.00
Personal service (<i>plus</i> 50.5¢ per mile)	\$ 20.00
Service on the Ohio Secretary of State by personal service (<i>plus</i> certified-mail service fee and any costs owed to the Franklin County Sheriff's Office or other process server)	\$ 20.00
Service by publication (<i>plus</i> the actual cost of publication)	\$ 12.00
Registered mail	\$ 15.00
Residence service (<i>plus</i> 50.5¢ per mile)	\$ 20.00
Subpoena (<i>plus</i> service fee) (R.C. 1901.26(A)(4))	\$ 6.00
<i>Plus</i> the witness's mileage at 50.5¢ per mile and witness fees for:	
One-half day or less	\$ 6.00
Full day	\$ 12.00
 (A half day's attendance means a day on which a witness is required or requested to be present at the court or at some other legal proceeding either before or after 12:00 p.m. (noon), but not both, regardless of whether the witness actually testifies.) (R.C. 1901.26(F)(2))	
 (A full day's attendance means a day on which a witness is required or requested to be present at the court or at some other legal proceeding both before and after 12:00 p.m. (noon), regardless of whether the witness actually testifies.) (R.C. 1901.26(F)(1))	
Unpaid fines and costs	\$10.00/month
(this monthly fee is charged as long as fines or costs remain unpaid)	
 (In addition, once the Clerk turns the unpaid account over to a collection agency, that company will charge the person or entity who owes unpaid fines or costs an additional 30% of the total amount owed.)	

Video recording of court proceeding – see Copies

Waiver of vehicle immobilization (R.C. 4503.235)	\$ 50.00
Warrant (plus service fee)	\$ 60.00
Warrant block release	\$ 20.00
Warrant order, notice of – see Notice	
Witness fee – see Subpoena	