

2012 Kansas Statutes

28-170. Court fees, civil actions; authorized only by legislative enactment; prosecuting attorneys' training fund; indigents' defense services fund. (a) The docket fee prescribed by K.S.A. 60-2001, and amendments thereto, and the fees for service of process, shall be the only costs assessed for services of the clerk of the district court and the sheriff in any case filed under chapter 60 or chapter 61 of the Kansas Statutes Annotated, and amendments thereto, except that no fee shall be charged for an action filed under K.S.A. 60-3101 et seq., and under K.S.A. 60-31a01 et seq., and amendments thereto. For services in other matters in which no other fee is prescribed by statute, the following fees shall be charged and collected by the clerk. Only one fee shall be charged for each bond, lien or judgment:

1. For filing, entering and releasing a bond, mechanic's lien, notice of intent to perform, personal property tax judgment or any judgment on which execution process cannot be issued. \$14
2. For filing, entering and releasing a judgment of a court of this state on which execution or other process can be issued. \$24
3. For a certificate, or for copying or certifying any paper or writ, such fee as shall be prescribed by the district court.

(b) The fees for entries, certificates and other papers required in naturalization cases shall be those prescribed by the federal government and, when collected, shall be disbursed as prescribed by the federal government. The clerk of the court shall remit to the state treasurer at least monthly all moneys received from fees prescribed by subsection (a) or (b) or received for any services performed which may be required by law. The state treasurer shall deposit the remittance in the state treasury and credit the entire amount to the state general fund.

(c) In actions pursuant to the revised Kansas code for care of children, K.S.A. 2012 Supp. 38-2201 et seq., and amendments thereto, the revised Kansas juvenile justice code, K.S.A. 2012 Supp. 38-2301 et seq., and amendments thereto, the act for treatment of alcoholism, K.S.A. 65-4001 et seq., and amendments thereto, the act for treatment of drug abuse, K.S.A. 65-5201 et seq., and amendments thereto, or the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto, the clerk shall charge an additional fee of \$1 which shall be deducted from the docket fee and credited to the prosecuting attorneys' training fund as provided in K.S.A. 28-170a, and amendments thereto.

(d) In actions pursuant to the revised Kansas code for care of children, K.S.A. 2012 Supp. 38-2201 et seq., and amendments thereto, the revised Kansas juvenile justice code, K.S.A. 2012 Supp. 38-2301 et seq., and amendments thereto, the act for treatment of alcoholism, K.S.A. 65-4001 et seq., and amendments thereto, the act for treatment of drug abuse, K.S.A. 65-5201 et seq., and amendments thereto, or the care and treatment act for mentally ill persons, K.S.A. 59-2945 et seq., and amendments thereto, the clerk shall charge an additional fee of \$.50 which shall be deducted from the docket fee and credited to the indigents' defense services fund as provided in K.S.A. 28-172b, and amendments thereto.

(e) Except as provided further, the bond, lien or judgment fee established in subsection (a) shall be the only fee collected or moneys in the nature of a fee collected for such bond, lien or judgment. Such fee shall only be established by an act of the legislature and no other authority is established by law or otherwise to collect a fee. On and after the effective date of this act through June 30, 2013, the supreme court may impose an additional charge, not to exceed \$22 per bond, lien or judgment fee, to fund the costs of non-judicial personnel.

History: L. 1943, ch. 162, § 15; L. 1949, ch. 260, § 5; L. 1957, ch. 243, § 1; L. 1963, ch. 241, § 1; L. 1974, ch. 168, § 1; L. 1975, ch. 218, § 1; L. 1976, ch. 196, § 1; L. 1977, ch. 145, § 1; L. 1978, ch. 105, § 10; L. 1982, ch. 116, § 5; L. 1983, ch. 140, § 6; L. 1984, ch. 147, § 9; L. 1986, ch. 217, § 4; L. 1986, ch. 211, § 30; L. 1986, ch. 145, § 1; L. 1987, ch. 134, § 3; L. 1996, ch. 167, § 47; L. 1997, ch. 156, § 40; L. 2004, ch. 118, § 5; L. 2006, ch. 215, § 6; L. 2007, ch. 195, § 15; L. 2008, ch. 95, § 7; L. 2009, ch. 116, § 14; L. 2010, ch. 62, § 6; L. 2011, ch. 87, § 6; L. 2012, ch. 66, § 6; Apr. 12.

Revisor's Note:

Section was amended three times in the 2006 session, see also 28-170c and 28-170d.