

August 2010

STATE REVENUE FROM DISTRICT COURT ACTIVITIES

This memorandum provides information regarding the types and amounts of fees deposited in the state general fund and state tuition fund as a result of district court activities.

DEPOSITS IN THE STATE GENERAL FUND

The following fees are remitted from district courts to the State Treasurer for deposit in the state general fund:

- Bail bond forfeitures (North Dakota Century Code Section 29-27-02.1) - Bail bond or other property or money deposited as bail that is forfeited to the state.
- Civil filing fee - Fee related to the filing of a civil action.
- Court administration fee - Fee for court administration costs. This fee was replaced by the criminal court administration fee in 2003.
- District court costs - Fee for court administration costs. This fee was replaced by the criminal court administration fee in 2003.
- Criminal court administration fee (Section 29-26-22) - Fee for court administration costs based upon the type of misdemeanor or felony.
- Indigent defense recoupment (Section 29-07-01.1) - Reimbursement for indigent defense costs and expenses.
- Motion to modify (Section 27-05.2-03) - Fee for filing a motion to modify an order.
- Municipal court revenue transfer (Section 40-18-15.1) - Reimbursement for prosecution and indigent defense services when a matter is transferred from a municipal court to a district court.

The following schedule details the remittance of district court fees to the State Treasurer for deposit in the state general fund:

	Fiscal Year 2008	Fiscal Year 2009	Fiscal Year 2010 (Through May 2010)
Bail bond forfeitures	\$229,043	\$199,891	\$250,578
Civil filing fee	1,428,715	1,432,111	1,270,095
Court administration fee ¹	47,011	34,501	31,086
District court costs ¹	10,251	10,476	12,183
Criminal court administration fee	2,522,165	2,461,213	2,136,518
Indigent defense recoupment	196,340	187,057	133,561
Motion to modify	22,610	20,870	15,970
Municipal court transfer revenue	250,909	229,845	188,333
Total	\$4,707,044	\$4,575,964	\$4,038,324

¹The court administration fee and district court costs fees were replaced by the criminal court administration fee in 2003. The amounts shown for the discontinued fees are payments of old assessments.

DEPOSITS IN THE STATE TUITION FUND

Section 29-27-02.1 provides that all statutory fees, fines, forfeitures, and pecuniary penalties for a violation of state law must be added to the state school fund. The table below details the collections of fees, fines, forfeitures, and pecuniary penalties for a violation of state law by the State Treasurer for deposit in the state tuition fund:

Fiscal Year	Deposits in the State Tuition Fund
2008	\$4,691,548
2009	\$4,452,073
2010 (through May 2010)	\$4,135,302