

By Michael K. Jeanes, Clerk of the Superior Court

Statewide Filing Fee Increases

The Arizona Supreme Court adopted a fee increase of approximately five percent approved by the Arizona Judicial Council for most filings and services, effective March 18, 2013. The fee increase applies to the base filing fees and charges defined in Arizona Revised Statute 12-284. The statute allows the Supreme Court to increase fees, limited by a percentage change in the average consumer price index.

In addition to the base fees, the Board of Supervisors in each county has statutory authority to assess additional fees based on the cost and type of services that are provided or required in each county. Local fee changes are discussed and voted on at the Supervisors' public meetings. As the busiest general jurisdiction court in the state, Maricopa County has historically included fees for technology and programs to improve caseflow and case disposition times.

Programming changes are underway in preparation for the March 18, 2013 effective date, including updates to eFiling through AZTurboCourt. The Clerk's Office will post the latest fee schedule and effective date online at <http://www.clerkofcourt.maricopa.gov/fees.asp>.

In addition to the base fee and service charge increases in Superior Court, the Supreme Court adopted increases to fees in Justice Courts. The Administrative Orders adopting the changes also include the fee schedules in the Arizona Code of Judicial Administration.

Supreme Court Administrative Order 2012-110 adds the Justice Court fee changes to section 4-303 of the Arizona Code of Judicial Administration. Administrative Order 2012-111 adds the Superior Court fee changes to section 3-404 of the Code. Future editions of the statutes in print and online are expected to direct readers to the Code of Judicial Administration for the base fee schedule.

In the past, the rate and timing of fee changes were subject to unpredictable outside forces that could result in years of increased filings and demand on the judicial system followed by double-digit fee increases. More recent legislation encourages regular analysis of the cost to provide services, taking into account the type of cases, diversity of litigants, volume, and other factors that impact access to justice. The current process allows the Court to adopt more regular, but limited, fee changes to balance the cost of services with demand.

The Administrative Office of the Courts, local Clerks of Superior Court and Justice Courts will provide more information leading up to the March 18, 2013 effective date.