

COURT COSTS

At the beginning of the case, there is a filing fee for filing the Complaint, unless the court decides you are unable to pay the fee. The costs are often about \$250 but can vary among counties and according to how service of process occurs and the type of case.

If the plaintiff believes he or she qualifies for financial relief, he or she should file an **Affidavit of Indigency**. The court will decide whether to defer – *but not forgive* – the filing fee. (At the conclusion of the case, the judge will decide who must pay the court costs.)

During the case, additional costs are incurred as papers are filed with the court. If the court decides those costs must be pre-paid when the case begins, the plaintiff must also file a **Cash Bond** (an advance payment of an amount, usually \$500, that is refundable if court costs are not imposed on the plaintiff) or a **Surety Bond** (where some other person or company guarantees payment of court costs on a form it prepares). If the plaintiff has an attorney, a **Cost Bond** may be filed, and by signing this document the attorney guarantees payment of court costs. In addition, if the defendant files a counterclaim, he or she must also furnish a bond of obtain permission to defer payment by filing an Affidavit of Indigency.

At the conclusion of the case, the court will decide who must pay the costs – you, the other party, or both of you. You probably will be permitted to pay your part of the charges in installments.

Finally, **if you reopen a case** by filing a petition to modify a final decree or if you try to have the other party found in contempt for failing to fulfill his or her legal obligations, a new set of fees applies. Costs often are about \$100.