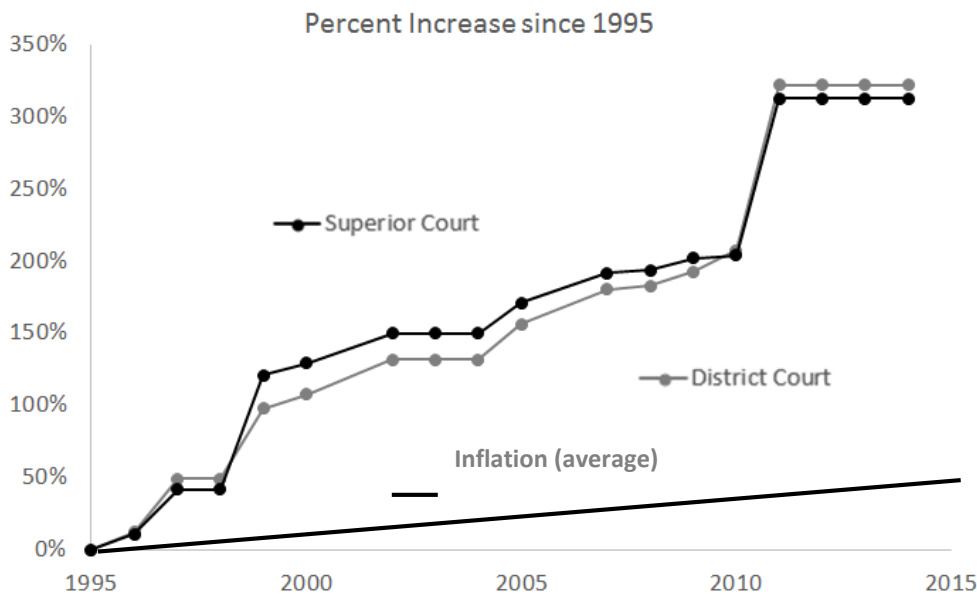


# Rising Court Costs in North Carolina

In North Carolina, criminal court costs have been steadily rising – far outpacing the rate of inflation - over the past twenty years. All defendants, including those who are too poor to contribute to their own representation, are required to pay these fees. The “General Court of Justice” fees in District Court have more than quadrupled, from \$41 in 1995 to \$173 in 2015. Similarly, the general court fees in criminal Superior Court have skyrocketed from \$48 in 1995 to \$198 in 2015. Recent increases have been particularly dramatic. For example, in 2011, the cost of criminal District Court jumped 27%, from \$126 to \$173. That same year, the cost of criminal Superior Court rose 26%, from \$146 to \$198. Overall, North Carolina’s criminal court fees have risen at a rate quadruple the 54% rate of inflation in the United States over the past twenty years. If fees continue to go up at the rate that they have been increasing over the past twenty years, the general court fees in District Court will exceed \$500 by the year 2024!

**General Court of Justice Costs over the Past Twenty Years**



Year	District Court	Superior Court
2015	\$173.00	\$198.00
2014	\$173.00	\$198.00
2013	\$173.00	\$198.00
2012	\$173.00	\$198.00
2011	\$173.00	\$198.00
2010	\$126.00	\$146.00
2009	\$120.00	\$145.00
2008	\$116.00	\$141.00
2007	\$115.00	\$140.00
2006	\$115.00	\$140.00
2005	\$105.00	\$130.00
2004	\$95.00	\$120.00
2003	\$95.00	\$120.00
2002	\$95.00	\$120.00
2001	\$85.00	\$110.00
2000	\$85.00	\$110.00
1999	\$81.00	\$106.00
1998	\$61.00	\$68.00
1997	\$61.00	\$68.00
1996	\$46.00	\$53.00
1995	\$41.00	\$48.00

The general court fees are only a small fraction of those associated with criminal District and Superior Court. Most other fees associated with criminal court are also rising dramatically. For example:

- If the defendant cannot pay the cost of court at sentencing, then there is a \$20 installment fee. This fee was introduced in 2009. (See, G.S. 7A-304(f));
- The fee to be on supervised probation has doubled from \$20 per month in 1995 to \$40 per month today. (See, G.S. 15A-1343);
- Since 1995, the criminal record check fee has increased five-fold, from \$5 to \$25. (See G.S. 7A-308(a)(17));
- The community service fee, which did not exist in 1995, is \$250. In 2008, it was \$200, and rose to its current amount in 2010. (See G.S. 143B-708);
- The appointment of counsel fee is \$60, up from \$50 when it was introduced in 2002. (See G.S. 7A-455.1);
- A defendant who makes a first appearance in District Court and is convicted of a felony in Superior Court is charged both the District Court and Superior Court General Court of Justice fees, which now total \$371.00. (See, G.S. 7A-304(a)(4)).

Most fees can only be waived “upon entry of written order, supported by findings of fact and conclusions of law”. See NCGS §7A-304. As of 2015, any fee that is waived under this statute must be reported, specifying the Judge’s name and district, directly to the Chairs of the House and Senate Appropriations Committees. There are also several fees, like the \$60.00 fee to apply for a public defender (NCGS § 7A-455.1) or the \$250.00 community service fee (NCGS §143B-708) that cannot be waived at all. The primary waivable fees that affect indigent defendants are:

<b>Waivable Fee:</b>	<b>Cost:</b>	<b>Statute number:</b>
Dispute resolution fee	\$60.00	<u>NCGS §7A-83.7</u>
Service of process	\$5.00 each	<u>NCGS §7A-304</u>
Facilities	\$12.00	<u>NCGS §7A-304</u>
Phone/technology	\$4.00	<u>NCGS §7A-304</u>
Misdemeanor confinement	\$18.00	<u>NCGS §7A-304</u>
LEO/Sheriff retirement	\$7.50	<u>NCGS §7A-304</u>
LEO/Sheriff training	\$2.00	<u>NCGS §7A-304</u>
General court of justice	\$127.05 - \$152.05	<u>NCGS §7A-304</u>
Legal Aid	\$2.45	<u>NCGS §7A-304</u>
Chapter 20	\$10.00	<u>NCGS §7A-304</u>
Improper equipment	\$50.00	<u>NCGS §7A-304</u>
Pretrial services	\$15.00	<u>NCGS §7A-304</u>
Failure to appear	\$200.00	<u>NCGS §7A-304</u>
Failure to comply	\$50.00	<u>NCGS §7A-304</u>
Crime lab	\$600.00	<u>NCGS §7A-304</u>
DNA Databank	\$2.00	<u>NCGS §7A-304</u>
Impaired driving	\$100.00	<u>NCGS §7A-304</u>
State crime lab	\$600.00	<u>NCGS §7A-304</u>
Local Government lab	\$600.00	<u>NCGS §7A-304</u>
Private hospital lab	\$600.00	<u>NCGS §7A-304</u>
Chemical/forensic analysis	\$600.00	<u>NCGS §7A-304</u>
Jail fee (pretrial)	\$10.00 per day	<u>NCGS §7A-304</u>
Trial transcript	Actual cost	<u>NCGS §7A-304</u>
Installment	\$20.00	<u>NCGS §7A-304</u>
Jail (split sentence)	\$40.00 per day	<u>NCGS §7A-313</u>
Attorney	\$55.00 - \$85.00 per hour	<u>NCGS § 7A-455</u>
Blood tests and comparisons	Actual cost	<u>NCGS §8-50.1(a)</u>
Probation supervision	\$40.00 per month	<u>NCGS §15A-1343</u>
Electronic house arrest	\$90.00	<u>NCGS §15A-1343</u>

