



General Assembly

Amendment

January Session, 2009

LCO No. 8699

SB0115708699HDO

Offered by:
REP. STAPLES, 96th Dist.

To: Subst. Senate Bill No. 1157 File No. 678 Cal. No. 662

**"AN ACT CONCERNING FUNDING FOR LEGAL SERVICES AND
JUDICIAL BRANCH TECHNOLOGY."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 Section 1. Section 52-259 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective July 1, 2009*):

5 (a) There shall be paid to the clerks for entering each appeal or writ
6 of error to the Supreme Court, or entering each appeal to the Appellate
7 Court, as the case may be, two hundred fifty dollars, and for each civil
8 cause in the Superior Court, [two] three hundred [twenty-five] dollars,
9 except (1) one hundred twenty dollars for entering each case in the
10 Superior Court in which the sole claim for relief is damages and the
11 amount, legal interest or property in demand is less than two thousand
12 five hundred dollars and for summary process, landlord and tenant
13 and paternity actions, and (2) there shall be no entry fee for making an
14 application to the Superior Court for relief under section 46b-15 or for
15 making an application to modify or extend an order issued pursuant to

16 section 46b-15. If the amount, legal interest or property in demand by
17 the plaintiff is alleged to be less than two thousand five hundred
18 dollars, a new entry fee of seventy-five dollars shall be charged if the
19 plaintiff amends his or her complaint to state that such demand is not
20 less than two thousand five hundred dollars.

21 (b) The fee for the entry of a small claims case shall be thirty-five
22 dollars. If a motion is filed to transfer a small claims case to the regular
23 docket, the moving party shall pay a fee of seventy-five dollars.

24 (c) There shall be paid to the clerk of the Superior Court by any
25 party who requests that a matter be designated as a complex litigation
26 case the sum of two hundred fifty dollars, to be paid at the time the
27 request is filed.

28 (d) There shall be paid to the clerk of the Superior Court by any
29 party who requests a finding of fact by a judge of such court to be used
30 on appeal the sum of twenty-five dollars, to be paid at the time the
31 request is filed.

32 (e) There shall be paid to the clerk of the Superior Court a fee of
33 seventy-five dollars for a petition for certification to the Supreme
34 Court and Appellate Court.

35 (f) [Such clerks shall also receive] There shall be paid to the clerk of
36 the Superior Court for receiving and filing an assessment of damages
37 by appraisers of land taken for public use or the appointment of a
38 commissioner of the Superior Court, two dollars; for recording the
39 commission and oath of a notary public or certifying under seal to the
40 official character of any magistrate, ten dollars; for certifying under
41 seal, two dollars; for exemplifying, twenty dollars; for making all
42 necessary records and certificates of naturalization, the fees allowed
43 under the provisions of the United States statutes for such services;
44 and for making copies, one dollar a page.

45 (g) There shall be paid to the clerk of the Superior Court for a copy
46 of a judgment file a fee of twenty-five dollars, inclusive of the fees for

47 certification and copying, for a certified copy and a fee of fifteen
 48 dollars, inclusive of the fee for copying, for a copy which is not
 49 certified; and for a copy of a certificate of judgment in a foreclosure
 50 action, as provided by the rules of practice and procedure, twenty-five
 51 dollars, inclusive of the fees for certification and copying.

52 (h) There shall be paid to the clerk of the [court] Superior Court a fee
 53 of one hundred dollars at the time any application for a prejudgment
 54 remedy is filed.

55 (i) A fee of twenty dollars for any check issued to the court in
 56 payment of any fee which is returned as uncollectible by the bank on
 57 which it is drawn may be imposed.

58 (j) The tax imposed under chapter 219 shall not be imposed upon
 59 any fee charged under the provisions of this section.

60 Sec. 2. (NEW) (*Effective July 1, 2009*) The Chief Court Administrator,
 61 or a designee, on or before the last day of January, April, July and
 62 October in each year, shall certify the amount of revenue received as a
 63 result of the fee increase that takes effect July 1, 2009, set forth in
 64 subsection (a) of section 52-259 of the general statutes, as amended by
 65 this act, and transfer such amount to the organization administering
 66 the program for the use of interest earned on lawyers' clients' funds
 67 account pursuant to section 51-81c of the general statutes, for the
 68 purposes of funding the delivery of legal services to the poor."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2009</i>	52-259
Sec. 2	<i>July 1, 2009</i>	New section