

Act No. 277
Public Acts of 1990
Approved by the Governor
December 11, 1990
Filed with the Secretary of State
December 11, 1990

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1990**

Introduced by Reps. Richard A. Young, Bennett, DeMars, Johnson and Sparks

ENROLLED HOUSE BILL No. 5300

AN ACT to amend section 321 of Act No. 236 of the Public Acts of 1961, entitled as amended "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," as amended by Act No. 274 of the Public Acts of 1986, being section 600.321 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Section 321 of Act No. 236 of the Public Acts of 1961, as amended by Act No. 274 of the Public Acts of 1986, being section 600.321 of the Michigan Compiled Laws, is amended to read as follows:

Sec. 321. (1) The following fees shall be paid to the clerk of the court of appeals, and may be taxed as costs where costs are allowed by order of the court:

(a) The sum of \$200.00 for an appeal as of right, for an application for leave to appeal, or for an original proceeding. This fee shall be paid only once for appeals that are taken by multiple parties from the same lower court order or judgment and can be consolidated.

(b) Upon the entry of any motion upon the motion docket, the sum of \$50.00.

(2) The clerk of the court of appeals shall be allowed the sum of 50 cents per page for certified copies of any entries or papers in any action or proceedings when required for any other purpose than one connected with the progress or disposition of such action or proceeding.

(3) The clerk shall charge the sum of 50 cents per page for all uncertified copies of opinions, excepting those sent to 1 counsel representing each party in the case, for which no charge shall be made.

(4) If a person is unable to pay the fees required by this section, the person, by motion, accompanied by the person's affidavit stating facts showing such inability, may ask the court to waive the fees and the court or a judge of the court may waive payment of the fees.

(5) Each month the clerk of the court of appeals shall deposit with the state treasurer all fees collected, securing and filing a receipt for the fees deposited.

(6) Costs shall be awarded in the discretion of the court.

(7) Upon appeal to the court of appeals, there shall be paid to the clerk of the trial court the sum of \$10.00 as an appeal fee.

Section 2. This amendatory act shall take effect October 1, 1990.

.....
Clerk of the House of Representatives.

.....
Secretary of the Senate.

Approved

.....
Governor.