

Act No. 64
Public Acts of 2007
Approved by the Governor
September 28, 2007
Filed with the Secretary of State
September 28, 2007
EFFECTIVE DATE: September 28, 2007

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2007**

Introduced by Rep. Meadows

ENROLLED HOUSE BILL No. 4861

AN ACT to amend 1961 PA 236, entitled "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; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," by amending section 321 (MCL 600.321), as amended by 2005 PA 326.

The People of the State of Michigan enact:

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

(a) For an appeal as of right, for an application for leave to appeal, or for an original proceeding, \$375.00. 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 except a motion described in subdivision (c) upon the motion docket, \$100.00. Beginning October 1, 2012, the fee required under this subdivision is \$75.00.

(c) Upon the entry of a motion for immediate consideration or a motion to expedite appeal upon the motion docket, \$200.00. This fee shall be paid only once regardless of the number of lower court files involved in the appeal. A prosecuting attorney is exempt from paying a fee under this subdivision with regard to an appeal arising out of a criminal proceeding. Beginning October 1, 2012, the fee required under this subdivision is \$150.00.

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

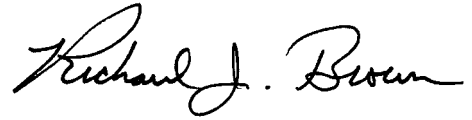
(3) The clerk shall charge 50 cents per page for all uncertified copies of opinions, except those sent to 1 counsel representing each party in the case, for which no charge shall be made.

(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 that 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 and obtain and file a receipt for the fees deposited.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor