

CRIMINAL & TRAFFIC DIVISION COST SCHEDULE

Delaware Municipal Court
Delaware County, Ohio

Effective January 1, 2017

Basic costs in all criminal, traffic, and parking-violation cases (these costs are assessed on just one charge in each case or on each traffic citation):

Local costs	\$ 60.00
Computerized legal research fee (R.C. 1901.261(A) & (B))	\$ 13.00
Special projects fund (R.C. 1901.26(B)(1))	<u>\$ 12.00</u>
Total local costs for criminal & traffic cases	\$ 85.00

Plus, at the earlier of (1) the time when bail is posted or (2) the time when the defendant is convicted, the Clerk will collect:

Additional cost for any case involving a moving traffic offense	\$ 39.00
(\$9 to the state victims reparation fund (R.C. 2743.70(A)(1)(b));	
\$20 to the state indigent defense support fund (R.C. 2949.091(A)(1)(a)(ii));	
\$10 to various state and municipal funds (R.C. 2949.094(A)))	

Note: If bail is posted in the case, the \$25 bail surcharge listed below must also be paid.

Additional cost for any case involving a non-traffic misdemeanor	\$ 29.00
(\$9 to the state victims reparation fund (R.C. 2743.70(A)(1)(b));	
\$20 to the state indigent defense support fund (R.C. 2949.091(A)(1)(a)(ii)))	

Note: If bail is posted in the case, the \$25 bail surcharge listed below must also be paid.

Additional cost for any case involving a non-moving traffic offense	\$ 10.00
(\$10 to the state indigent defense support fund (R.C. 2949.091(A)(1)(a)(iii)))	

Other Costs

Absentia, Plea in – see Plea in Absentia

Appeals	
Filing of notice of appeal	\$ 65.00
Filing of notice of cross-appeal	\$ 25.00
Motion for stay of judgment pending appeal	\$ 15.00

Audio recording of court proceeding – see Copies	
Bad checks – see Checks	
Bail surcharge (must be paid to the Clerk whenever bail is posted for any offense other than a non-moving traffic offense) (R.C. 2937.22(B))	\$ 25.00
Bail forfeiture – see Bond	
Bind-Over Fee (charged when the court holds a preliminary hearing in a felony case and finds probable cause to believe that a felony has been committed)	\$ 25.00
Bond forfeiture (as a result of a failure to appear for a court proceeding)	\$ 20.00
(as part of a negotiated plea)	\$ 10.00
Bureau of Motor Vehicles (BMV) matters (filed in the civil division)	
Appeal of a 12-point license suspension	\$ 100.00
Application for driving privileges during a BMV-imposed suspension	\$ 90.00
Reinstatement-fee payment plan application (R.C. 4510.10) (a single \$90 fee will be charged if an applicant requests <u>both</u> driving privileges and a reinstatement-fee payment plan)	\$ 90.00
Cancellation of operator’s license – see Operator’s license	
Checks that are returned for insufficient funds, are drawn on closed accounts, or for which the drawer stops payment	Current bank fee
Checks – drawn on an international bank (i.e. Canadian)	Current bank fee
Collection fee – see Unpaid	
Commitment, preparation of (enforcing a court order imposing jail days)	\$ 10.00
Community control fee (for separate fee if EMHA ordered – see Electronically-monitored)	\$ 25.00/month
Community control violation fee (charged to the defendant whenever a community control officer files a violation notice)	\$ 20.00
Contempt Charged to the defendant when the community-control office or the company that immobilizes vehicles asks that the defendant be held in contempt for an alleged failure to comply with a court order	\$ 25.00

Continuance – see Motions

Copies (plus service fee if the copies are not picked up from the Clerk’s office)	
Certified copy of a court record (plus the per-page cost of the copies)	\$ 3.00
Exemplified copy of a judgment entry (a copy signed by the Clerk and a judge)	\$ 25.00
Photocopy (per page)	\$ 0.05
Printout of court docket (per page)	\$ 0.25
Video and audio recording of court proceeding	\$ 5.00

Credit card fee (charged whenever a credit card is used in person or online to make any payment)	3 rd Party fee
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Delinquent payment fee – see Unpaid

Discharge from the jail, order for	\$ 5.00
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Diversion program	\$ 150.00
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Driver’s license cancellation – see Operator’s license

Driving privileges during administrative license suspension or court suspension, application for (must include proof of current car insurance)	\$ 30.00
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Note: An additional \$30 charge will be imposed whenever the defendant requests a change in a previously-granted privilege order, and also when privileges are requested for a court-imposed suspension after an earlier request for privileges during an ALS.

Driving privileges during a BMV-imposed suspension – see Bureau

Driving privileges with ignition interlock or SCRAM ordered in OVI cases (includes \$2.50 to state highway safety fund and \$2.50 to special projects fund) (R.C. 4510.13(A)(9))	\$ 5.00
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Electronically-monitored house arrest (EMHA) fee (plus the daily cost of the monitoring equipment)	\$ 3.00/day
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Exemplified copy – see Copies

Expungement, application for – see Sealing

Felony – see Bind-Over

Forfeiture of operator’s license – see Operator’s

Grand jury – see Bind-Over

Hearing – see Motion hearing	
Ignition interlock ordered in OVI cases – see Driving privileges	
Immobilization fee (plus the amounts payable to the immobilizing company and later to the BMV)	\$ 15.00
Immobilization, waiver of – see Waiver	
Installment fee – see Unpaid	
Interest charged on unpaid fines and costs – see Unpaid	
Insurance, failure to provide proof of car insurance in connection with a traffic offense	\$5.00
Jail commitment – see Commitment	
Jail release – see Discharge	
Jury demand – see Demand	
Jury fees (daily fee assessed for – and payable to – each juror and alternate juror selected for jury service)	\$ 40.00
Jury venire (daily fee assessed for – and payable to – each person who appears for jury duty when (1) the case is resolved or continued on the day of trial before a jury is seated, and (2) the trial judge determines that costs should be charged)	\$ 25.00
License cancellation or forfeiture – see Operator’s	
Mileage – see Service or delivery fees; see also Subpoena	
Motions	
Continuance of an arraignment	\$ 5.00
Continuance of any other scheduled event (the fee is not charged for the prosecutor’s motions)	\$ 10.00
Post-judgment motion, including a motion to modify a sentence Stay of judgment pending appeal – see Appeals	\$ 15.00
Motion hearing (charged when the court holds a hearing on a motion, including a motion to suppress)	\$ 10.00
Notice that a warrant has been ordered	\$ 10.00
Operator’s license cancellation	\$ 25.00

Operator's license cancellation, notice of	\$ 10.00
Operator's license cancellation, release of	\$ 20.00
Payment by credit card – see Credit card	
Plea in Absentia Under Traffic Rule 12	\$100.00
Photocopies – see Copies	
Preliminary hearing – see Bind-Over	
Probation fee – see Community control	
Probation violation – see Community control violation fee	
Proof of insurance, failure to provide – see Insurance	
Public defender application fee (R.C. 120.36)	\$ 25.00
Recording of court proceeding – see Copies	
Registration Block (R.C. 1901.44(B))	\$ 50.00
Registration Block Release	\$ 25.00
SCRAM ordered in OVI cases – see Driving privileges	
Sealing of conviction record or bail forfeiture record (R.C. 2953.32(C)(3))	\$ 50.00
Sealing of record after not-guilty finding or dismissal of complaint	\$ 25.00
Service or delivery fees (a separate charge is assessed for <u>each party</u> upon whom service is requested)	
Certified mail	\$ 15.00
Express mail	[at current U.S. Postal Service rate]
Ordinary mail	\$ 5.00
Personal service (plus mileage at the current mileage rate set annually by the Internal Revenue Service (IRS) for business miles)	\$ 20.00
Service on the Ohio Secretary of State by personal service (plus certified-mail service fee and any costs owed to the Franklin County Sheriff's Office or other process server)	\$ 20.00

Service by publication (plus the actual cost of publication)	\$ 12.00
Registered mail	\$ 15.00
Residence service (plus mileage at the current mileage rate set annually by the Internal Revenue Service (IRS) for business miles)	\$ 20.00

Subpoena (R.C. 1901.26(A)(4))

Witness's mileage at 50.5¢ per mile and witness fees for:	
One-half day or less	\$ 6.00
Full day	\$ 12.00

(A half day's attendance means a day on which a witness is required or requested to be present at the court or at some other legal proceeding either before or after 12:00 p.m. (noon), but not both, regardless of whether the witness actually testifies.) (R.C. 1901.26(F)(2))

(A full day's attendance means a day on which a witness is required or requested to be present at the court or at some other legal proceeding both before and after 12:00 p.m. (noon), regardless of whether the witness actually testifies.) (R.C. 1901.26(F)(1))

Unpaid fines and costs (this monthly fee is charged as long as fines or costs remain unpaid)	\$10.00/month
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(In addition, once the Clerk turns the unpaid account over to a collection agency, that company will charge the person or entity who owes unpaid fines or costs an additional 30% of the total amount owed.)

Vehicle registration block – see Registration Block

Video recording of court proceeding – see Copies

Waiver of vehicle immobilization (R.C. 4503.235)	\$ 50.00
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Warrant (plus service fee)	\$ 60.00
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Warrant block release	\$ 20.00
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Warrant order, notice of – see Notice

Witness fee – see Subpoena