

Potter County Clerk's Office
Fees of Office
Effective January 1, 2010

(revised 12/2009)

The below listed fees are found in the various Texas Statutes as noted. The examples shown reflect routine INITIAL filings. Variables such as Issuance of Citation, Letter, etc. will increase the cost.

Each fee shall be paid at the time of filing or rendering of a service as provided by statute, with certain exceptions. (Texas Local Govt. Code, Chapter 118.055(a-e)). NO CREDIT WILL BE EXTENDED. Deposits in excess of actual costs due are discouraged and will be refunded within six months after receipt.

Cause of Action→ Fees ↓	Letters Test.	Ind. Admin	Foreign Will	Muniment of Title	Dep. Admin.	Small Estate	Determination of Heirship	Guardianship (includes pers/posted citation)	Guardianship trans. to Potter Co.
Clerk's Fee * LGC §118.052(2)(A)(i) *Inc. issuance on 1 posted citation	* \$44.00	* \$44.00	\$40.00	* \$44.00	* \$44.00	\$40.00	*\$44.00	\$48.00	\$40.00
Order/Oaths Average # of Orders/Oaths LGC 118.052B(ii)(iii) LGC 118.101 (1-13)	8.00	8.00	5.00	2.00	15.00 (Inc. app/rec. bond \$3.00)	2.00	2.00	13.00 (Inc. app/rec. bond \$3.00)	5.00 (bond/oath)
Law Library LGC 323.023(a)	35.00	35.00	35.00	35.00	35.00	35.00	35.00	35.00	35.00
Probate Education LGC 118.052(2)(A)(vi)	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
*Potter Co. Sheriff LGC 118.1131	60.00	60.00		60.00	60.00		*\$60.00 for each citation	120.00	
ADRC Civil Practices & Remedies 152.004(a)	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00
Crt. Initiated Guardianship LGC 118.052/HB 1295(2007)	20.00	20.00		20.00	20.00	20.00	20.00	20.00	20.00
Records Management Fee LGC 118.052(3)(G)	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Security Fee LGC 291.008(a)	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Legal – Services Indigent GC 51.941(a)(4)	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
Judicial Fee GC 51.702(a) & 51.703(a)	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00	40.00
Judicial Support Fee GC 133.154 Prob. & GC 101.123 SB 600(2007)	42.00	42.00	42.00	42.00	42.00	42.00	42.00	42.00	42.00
Court of Appeals Fee Sec. 22.2081 TGC	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00	5.00
Court Records Preservation Fee GC 51.708 (a)	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00	10.00
Co. Ct. Total	304.00	304.00	217.00	298.00	311.00	234.00	298.00**	373.00	237.00
Court Reporter Fee Co. Courts at Law GC 51.601(a)	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00	15.00
CCLaw Total	319.00	319.00	232.00	313.00	326.00	249.00	313.00	388.00	252.00

** \$302.00 published Citation on Heirship using process server/\$362.00 published citation on Heirship using Sheriff

Filing Inventory & Appraisalment after the 90 th day after personal representative/applicant qualifies or after date of extended deadline (if applicable) (eff. 9/1/07) LGC §118.052(2)(B)(i)	\$25.00
Filing Account or Final Account of Estate LGC §118.052(2)(B)(iv)	\$25.00
Filing application for Sale of Real/Personal Property LGC §118.052(2)(B)(v)	\$25.00
Filing Annual or Final Report of Guardian of Person LGC §118.052(2)(B)(vi)	\$10.00
Claims against Estate LGC §118.052(2)(D)	\$ 2.00
Cross Action/Action other than original (application for successors) LGC §118.052 (B) & 118.054	\$30.00
Document filed 120 days after the inventory filed 26 pages or more LGC §118.052 vii & 191.007 (eff. 9/1/05)	\$25.00
Issuance of Letters Testamentary, Guardianship, Admin.; Abstract of Judg. LGC §118.052(3)(D)	\$ 2.00 each
Approving & Recording Bond LGC §118.052(ii)	\$ 3.00
Administering Oath LGC §118.052(B)(iii)	\$ 2.00

*Adverse Action LGC §118.052(2)(C)	\$40.00
(* seeking affirmative relief)	
Court Initiated Guardianship HB 1295	20.00
RMPF 118.0645(b)	5.00
Indigent Service GC 51.941(a)(4)	<u>5.00</u>
TOTAL	\$70.00

Jury Fee \$22.00
(eff. 1/1/98 flat fee when jury is requested until then \$5.00 & 17.00)
RCP Rule 216 & GC §51.604(a)(c)

**Issuance of Citation, Notice, Subpoena \$ 4.00 each +

\$60.00 Potter Co. Sheriff fee.

Mail service of Process = Same as Sheriff Fee LGC §118.052(3)(F)

POTTER CO. CLERK DOES NOT COLLECT OUT OF COUNTY SERVICE FEES

Certificate of Fact concerning Record	\$ 5.00
Certified copies	\$ 5.00 (Clerk's certificate)
Fee for each page	\$ 1.00 (per page)
LGC §118.052(3)(B)	
Non certified copies	\$ 1.00 (per page)
LGC §118.052(3)(C)	
Authenticated/Exemplified/3-Way copies	\$ 1.00 per page & flat fee of \$7.00 for all 3 Certificates

Registry Handling Expense
LGC §117.054 (b)(1)

Interest bearing 10% of Interest
Non-interest bearing 5% of withdrawal not to exceed \$50.00

<u>Will for Safekeeping</u>	
LGC §118.052 (3)(E)	\$ 5.00
LGC §219.008(d)	\$ 1.00 security fee
LGC §118.052(3)(G)	<u>\$ 5.00 RMPF</u>
TOTAL	\$11.00

Registration of Private Professional Guardian \$55.00
(Probate Code §697 & 698)
(\$40.00 Clerk fee, \$5.00 RMPF, \$5.00 Security Fee, \$5.00 Civil Legal Services for Indigents)

Cause of Action→	Abstract of Judgment LGC 118.052(1)(C)(I) Execution, Order of Sale, Writ or Other Process LGC 118.052(1)(C)(ii)	Bond Forfeiture Original Action LGC §118.052(1)(A)(ii) LGC 113.902 Co. Atty. Fees eff. 1/1/04
Fees ↓		
Clerk's Fee *LGC §118.052	\$5.00	\$44.00 (varies depending on issuance)
Law Library LGC 323.023(a)		35.00
Alternate Dispute Resolution Center Civil Practices & Remedies Code §152.004(a)		15.00
*Potter Co. Sheriff Service Fee LGC 118.052 (2)(3)(F) & 118.131	\$150.00	*60.00
Records Management Fee LGC 118.052(3)(G)		5.00
Security Fee LGC 291.008(a)		5.00
Legal – Services Indigent GC 51.941(a)(4)		10.00
Judicial Fee GC 51.702(a) & 51.703(a)		40.00
Judicial Support Fee GC 133.154 Prob. & GC 101.123 SB 600(2007)		Do not collect per AG opinion No. GA-0486 (11/21/06)
Court of Appeals Fee Sec. 22.2081 TGC		5.00
Court Records Preservation Fee GC 51.708 (a)		10.00
Total w/o court reporter fee		229.00
Court Reporter Fee Co. Courts at Law GC 51.601(a)		15.00
Total w/court reporter fee		244..00

*Note: Fees shown are for Potter Co. Sheriff. If citation is served by Cert. Mail, the County Clerk will receive the same as Sheriff LGC 118.052(3)(F)
POTTER COUNTY DOES NOT COLLECT OUT OF COUNTY FEES

Jury Trial – Gov. Code 51.604 (a)(c) \$22.00

** LGC §118.059(3)(A) Issuance of Citation, Subpoena, Notice, etc. prior to Judgment (Original & One (1) copy) \$4.00/set

Misc. Fees

LIQUOR LICENSE

Beer & Wine Notice	\$ 5.00
Records Management	\$ 5.00
Security	\$ 5.00
Civil Legal Services for Indigents	\$ 10.00
Court Records Preservation	\$ 10.00
	=====
Total for Beer & Wine	\$35.00

LIQUOR LICENSE (late hours)

Beer & Wine Notice	\$ 5.00
Records Management	\$ 5.00
Security	\$ 5.00
Civil Legal Services for Indigents	\$ 10.00
Court Records Preservation	\$ 10.00
Late Hours	\$ 5.00
	=====
Total for Beer & Wine	\$40.00

Additional Fees: \$200.00 (cash only) for newspaper publication (new location)

Additional Fees as Applicable: Clerk's Certificate \$5.00

MENTAL HEALTH

	<u>Out of County</u>	<u>In County</u>
Clerk Fee	\$40.00	\$40.00
Law Library	35.00	35.00
Records Management	10.00	10.00
Security Fee	5.00	5.00
Legal Service Indigent	10.00	10.00
Probate Continuing Education	5.00	5.00
Co. Court Judicial Fee (eff. 6/20/99)	40.00	40.00
Co. Court Appointed Atty.	50.00	50.00
Show Cause Examiner	50.00	50.00
Court Records Preservation	10.00	10.00
Sheriff Fee Notice	60.00	*
*variable due to amount of notices, warrants & mileage		
Co. Attorney Fee	50.00	50.00
Co. Court Appointed Atty. (final hearing)	100.00	100.00 (varies due to amount of hearings)
Judge Fee – Co. Court Service Fee	50.00	
Sheriff Fee Mileage		

ALL DOCKETS

Non-certified Copy	\$1.00/page
Certified copy	\$1.00/page + \$5.00 Clerk's Certificate
Authenticated/Exemplified/3 way copy fee	\$1.00/page + \$7.00 fee for all three certificates
Certificate of Fact Concerning Record:	\$5.00