

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 938

Short Title: Continuance Court Cost Fee.

(Public)

Sponsors: Senator Seymour.

Referred to: Finance.

May 13, 1991

A BILL TO BE ENTITLED

AN ACT TO AMEND THE LAW REGARDING COURT COSTS IN CIVIL
ACTIONS BY ADDING A COURT COST FEE FOR SCHEDULING OR
CONTINUING CASES IN CERTAIN INSTANCES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-305(d) reads as rewritten:

"(d) The following expenses, when incurred, are also assessable or recoverable, as the case may be:

- (1) Witness fees, as provided by law.
- (2) Jail fees, as provided by law.
- (3) Counsel fees, as provided by law.
- (4) Expense of service of process by certified mail and by publication.
- (5) Costs on appeal to the superior court, or to the appellate division, as the case may be, of the original transcript of testimony, if any, insofar as essential to the appeal.
- (6) Fees for personal service and civil process and other sheriff's fees, as provided by law.
- (7) Fees of guardians **ad litem**, referees, receivers, commissioners, surveyors, arbitrators, appraisers, and other similar court appointees, as provided by law. The fee of such appointees shall include reasonable reimbursement for stenographic assistance, when necessary.
- (8) Fees of interpreters, when authorized and approved by the court.
- (9) Premiums for surety bonds for prosecution, as authorized by G.S. 1-109.

1 (10) A fee of ten dollars (\$10.00) on each occasion a case is scheduled or
2 continued, paid by the party at whose request or for whose benefit the
3 case was scheduled or continued unless the case was scheduled or
4 continued at the request or for the benefit of the court, in which case
5 no fee is required."

6 Sec. 2. This act becomes effective October 1, 1991, and applies to cases
7 scheduled and continued on and after that date.