

\$150 Filing Fee Required

New (never previously filed) cases

Cases restored under Rule 40(j), SCRCP

Appeals to Circuit Court from: Probate Court; Administrative or Regulatory Agencies (For example: Workers Compensation Commission); Arbitration Panels County Zoning Board; and Magistrate Court (civil only)

Cases transferred from Federal Court that have never been filed in the Circuit Court

Forfeiture cases arising out of drug seizures and DUI 4th convictions (if commenced with petition)

Minor settlements

\$100 Filing Fee Required

Foreign Judgments [S. C. Code § 8-21-310(22)]

\$10 Filing Fee Required

Automobile Arbitration Panel Cases [S. C. Code § 38-77-720(c)].

Lis Pendens—when not accompanied by a summons and complaint (S. C. Code § 8-21-310(11)(b))

Notice of Intent to File Suit for Medical Malpractice Cases

Confessions of Judgment (if case is not already filed) S. C. Code § 8-21-310(11)(d)

Certificate of Non-Compliance pursuant to a decision of the Resolution of Fee Disputes Board

Transcripts of Judgment from Magistrate Court and Federal District Courts

\$25 Filing Fee Required

Forfeiture cases arising out of drug seizures and DUI 4th convictions (if commenced with consent order). See Motion Fee memo, Section A3.

\$200 Filing Fee Required

Reinstatement of permanently revoked driver's license (S. C. Code § 56-1-385)

NOTE: Fees generally are enumerated in S. C. Code § 8-21-310.

Inmate Litigation Filing Fees (other than PCR) are governed by the following:

S. C. Code § 24-27-100. Filing fees.

Unless another provision of law permits the filing of civil actions without the payment of filing fees by indigent persons, if a prisoner brings a civil action or proceeding, the court, upon the filing of the action, shall order the prisoner to pay as a partial payment of any filing fees required by law a first-time payment of twenty percent of the preceding six months' income from the prisoner's trust account administered by the Department of Corrections and thereafter monthly payments of ten percent of the preceding month's income for this account. The department shall withdraw the monies maintained in the prisoner's trust account for payment of filing fees and shall forward quarterly the monies collected to the appropriate court clerk or clerks until the filing fees are paid in full.

The prisoner must file a certified copy of his trust account with the court that reflects the prisoner's balance at the time the complaint is filed unless the prisoner does not have a trust account.

Mechanic's Lien - \$10.00

If filed in Court of Common Pleas - \$150.00

Satisfaction/Cancellation of Lis Pendens - \$1.00

Copies - \$.50 per page

\$1.00 per page is copied and mail by Clerk's Office

Certification of copy - \$1.00 for each certification

Motion Fees

Pursuant to § 8-21-320 of the South Carolina Code of Laws, there is a \$25.00 fee assessed for every motion made in the Court of Common Pleas. The motion fee applies to all motions, including motions filed with the original complaint, unless otherwise determined to be exempt. Please access the below motion fee list to review the list of the most commonly filed motions which require the \$25.00 motion fee and the most commonly filed motions which are exempt from the \$25.00 motion fee.

Motions Requiring the \$25.00 Fee

1. Motion for Court Approved Settlement: \$25.00.
2. Motion to be Relieved as Counsel: \$25.00.
3. Consent Orders in pending actions and no final order has been issued: \$25.00. (See Rule 43(k), SCRCP; See also C.14 for special circumstance).
4. Supplemental Pleadings: Rule 15(d), SCRCP: \$25.00.
5. Motion for Default Judgment: Rule 55, SCRCP: \$25.00, regardless of whether damages are liquidated or unliquidated. No further fee required if proposed order presented ten days later.
 - a. Motion to Set Aside Default: Rule 55(c), SCRCP: \$25.00.
6. Motion for New Trial: Rule 59, SCRCP: \$25.00, if made in writing after the conclusion of the trial.
7. Motion to Alter or Amend Judgment: Rule 59(e): \$25.00, if made in writing after the conclusion of the trial.
8. Motion to Amend a Motion: \$25.00.
9. Motion to Intervene: Rule 24, SCRCP: \$25.00.
10. Motion Requesting Physical and/or Mental Examination: Rule 35, SCRCP: \$25.00.
11. Motion for Amendment of Judgment: Rule 52(b), SCRCP: \$25.00.
12. Motion for Summary Judgment: Rule 56, SCRCP: \$25.00.
13. Motion for Relief from Judgment or Order: Rule 60, SCRCP: \$25.00.

14. Motion for Seizure of Person or Property: Rule 64, SCRCP: \$25.00
15. Motion for Execution or Assistance: Rule 70, SCRCP: \$25.00.
16. Motion for Appointment of Receiver: Rule 66, SCRCP: \$25.00.
17. Single Motion Applied to Multiple Cases: \$25.00 Per Case.
18. Subsequent Motions to Master: \$25.00.
19. Motion to Restore to Active Docket After Bankruptcy: \$25.00.
20. Motion for Order Updating Judgment Figures due to Stay Caused by Bankruptcy: \$25.00.
21. Motion for Admission *Pro Hac Vice*: Rule 404, SCACR: \$25.00 Per Case.
22. Rule to Show Cause in Family Court for Non-Payment of Previously Court Ordered Fees: \$25.00.
23. Motion to Reduce or Increase Child Support in a pending action and no final order has been issued: \$25.00.

B. Motions Requiring Fee With Special Conditions

1. Motion for Referral to Master: Rule 53, SCRCP: If referred to Master by Motion or Consent of Parties: \$25.00. If referred to Master by Motion of Court: No Fee.
 - a. § 14-11-310 requires various fees to be collected in Master's Court and retained by County. These fees will be collected in addition to the motion fee.
2. Supplemental Proceedings: If conducted in the Court of Common Pleas: \$25.00. If conducted by Master, refer to #1 above.

3. **Amendment of Pleadings: Rule 15(a), SCRCPP: When leave of Court is required: \$25.00. With consent of both parties and without leave of court: No Fee.**
4. **Third Party Practice: Rule 14, SCRCPP: Defendant as Third Party Plaintiff bringing in Non-Party, if done within ten days after service of original answer: No Charge. After ten days with leave of Court: \$25.00.**
5. **Joinder, Permissive Joinder, Misjoinder, and Non-Joinder of Parties: Rules 19, 20, and 21, SCRCPP: If by Motion of Party: \$25.00. If by Motion of the Court: No Fee.**
6. **Depositions before Action or Pending Appeal: Rule 27, SCRCPP: If by Petition of Party: \$25.00.**
7. **Depositions Upon Oral Examination: Rule 30, SCRCPP: If leave of Court required: \$25.00.**
8. **Motion for Dismissal: Rule 41, SCRCPP.**
 - a. **(a)(1)(A): By Plaintiff by Stipulation, without leave of Court: No Fee.**
 - b. **(a)(1)(B): By Stipulation with Consent of both Parties without Leave of Court: No Fee.**
 - c. **(a)(2): By Order of Court: \$25.00.**
 - d. **(b): Involuntary Dismissal, Non-Suit: \$25.00. If made in open court during trial: No Fee.**
9. **Motion to Consolidate or Sever: Rule 42, SCRCPP: If requested by Party: \$25.00 (Only one Fee regardless of number of Cases). Upon Court's own Motion: No Fee.**
10. **Rule 65, SCRCPP: All actions contained in the Rule require separate filing fees; subsequent Motions in same action: \$25.00.**
11. **Motion to Enforce Settlement: \$25.00, but may be shifted to other Party by judge.**

12. Motion to Compel: Rule 26, SCRCP: \$25.00, but may be shifted to other Party by judge.
13. Rule 40, SCRCP.
 - a. (a): Request for Jury or Non-Jury in Pleadings: No Charge.
 - b. (c): Transfer to Jury Trial Roster by Agreement: \$25.00.
 - c. (d): Objection to Transfer: \$25.00.
 - d. (e): Request Transfer to Jury Roster Nine Months to Twelve Months after Filing: \$25.00.
 - e. (g): Motion to Strike from Jury Trial Roster: \$25.00.
 - f. (i): Continuance: \$25.00.
 - g. (j): Requires New Filing Fee and New Case Number: No Motion Fee.
 - h. (k): Alternate Method of Transfer to Jury Roster: \$25.00.
14. Motion for Order of Protection from Discovery; Motion to Quash: Rules 24, 37, and 45, SCRCP: \$25.00, but may be assessed to other Party by judge.
15. Motion for Temporary Relief in Family Court: Rule 21, SCRFC: \$25.00. This Motion may include numerous standard forms of relief, such as temporary custody, visitation, support, etc. However, only one fee charged.
16. Matters Involving Rule to Show Cause in Court Ordered Custody and Visitation Cases: \$25.00.
17. Motion for Appointment of Guardian ad Litem: \$25.00. If by Motion of Court: No Fee.
18. Motion for Substitution of Counsel: If in attorney appointed case or by consent: No fee. Otherwise: \$25.00.
19. Motion for Order of Continuance: \$25.00. If requested pursuant to Rule 601, SCACR, conflict in hearing dates: No fee.
20. Rule 50, SCRCP.
 - a. Motion for Directed Verdict: No fee.

- b. Motion for Judgment Notwithstanding the Verdict if reduced to writing: \$25.00. If made orally in open court: No fee.
 - c. Motion for New Trial if reduced to writing: \$25.00. If made orally in open court: No fee.
- 21. Rule 12, SCRCP Motions: If presented in an answer: No fee. If made by separate motion: \$25.00.
 - 22. Motion for Status Conference: If requested by the Court: No fee. If filed by a party: \$25.00.

C. Motions With No Fee

- 1. **No Fees Shall be Charged for any Motions in the Court of General Sessions.**
- 2. Motions for Orders of Protection of Attorneys from Court Appearances: No Fee.
- 3. Sexually Violent Predator Cases: Regulation exempts filing fee. No subsequent Motion Fees.
- 4. General request for Subpoena: No Fee.
- 5. Matters Involving Rules to Show Cause for Spousal Support: No Fee. No Subsequent Motion Fees.
- 6. Matters Involving Rules to Show Cause for Child Support: No Fee. No Subsequent Motion Fees.
- 7. Juvenile Delinquency Matters in Family Court: No Fee. No Subsequent Motion Fees.
- 8. Matters Involving Indigency in Common Pleas or Family Court where a Party has been allowed to proceed without costs. No Subsequent Motion Fees for that Party.
- 9. Matters Involving Orders of Protection from Domestic Abuse: No Fee. No Subsequent Motion Fees.

10. **Matters Involving Abuse and Neglect: No Fee. No Subsequent Motion Fees.**
11. **Execution on Judgment: Rule 69, SCRCP: No Fee.**
12. **Matters Involving State Agency v. Party Granted Indigent Status Pursuant to Rule 3(c), SCRCP: No Fee for either party.**
13. **Motion for Stay Due to Bankruptcy: No Fee.**
14. **Consent Order filed resolving Motion on which the Fee has been paid: No Additional Fee.**
15. **Anything Contained in an Answer: No Fee.**
16. **Motion for Request for Jury Instruction: Rule 51, SCRCP: No fee.**
17. **Collateral Matters Contained in Rules to Show Cause and Support Cases: No Fee if Relief is directly related to Defendant's Non-Payment of Child or Spousal Support.**
18. **Motion for Order of Publication: § 15-9-710: No Fee.**
19. **Motion for Substitution of Parties: Rule 25, SCRCP: No Fee.**
20. **Post-Conviction Relief: No Fee.**
21. **Rule 43, SCRCP**
 - a. **Rule 43(j): Motion for Right to Open and Close: No Fee.**
 - b. **Rule 43(k): Agreement of Counsel, Consent Order or Written Stipulation made in Court: No Fee.**

Orders of the Worker's Compensation Commission

Confessions of Judgment (if case is filed -- if not, \$10 fee)

Satisfaction of Judgment

Cases filed accompanied by an order granting a Motion for Leave to Proceed in Forma Pauperis [Rule 3(b)(1), SCRCP].

Note: No fee is charged to a defendant or respondent for filing an answer, return or other papers in any civil action or proceeding, in a court of record (S. C. Code § 8-21-310(12)).

Cases filed when a party is represented by an attorney working on behalf of or under the auspices of a legal aid society, a legal services or other nonprofit organization, or the South Carolina Pro Bono Program (written certification from the attorney required) pursuant to Rule 3(b)(2), SCRCP.

A filing fee is not charged for filing a summons and complaint for a permanent restraining order, pursuant to Section 16-3-1910 (F), SC Code.