APPENDIX A

Definitions of Receipt Categories

Bonds/Undertakings/Non-Interest Trusts/Prepaid Court Appointed Attorney Fees:
Bonds are posted in conjunction with a criminal case. This money is either forfeited, used to pay subsequent fines and costs, or returned to the defendant or depositor. Undertakings are posted in civil cases and appeals. Non-interest trusts are posted until the legal owner is determined or located. Court appointed attorney fees are posted as pre-payment for future CAAF costs incurred.

City/County Fines/Penalties:
Fines/penalties collected for city/county ordinance violations. City/county fines/penalties are paid into the city/county general fund (65%) and state general fund (35%) for services provided by the Unified Judicial System.

City/County Costs: Costs levied in conjunction with city/county fines as reimbursement to the city/county for an identifiable amount spent by the city/county in prosecuting a case. These funds are paid into the city/county general fund.

City/County Forfeitures: Forfeitures of bail bonds posted for violations of city/county ordinances. These funds are paid into the city/county general fund (65%) and state general fund (35%).

State Fines/Penalties: Fines/penalties collected for violation of state laws. These fines/penalties are paid to the county treasury for eventual transfer to the school district of the county in which the violation occurred.

State Costs: Money collected in conjunction with state fines to cover county costs. These are deposited in the county general fund.

State Forfeitures: Forfeitures of bonds posted for violations of state law. This money is paid into the county general fund.

Liquidated Costs: A $40.00 surcharge assessed for all criminal convictions. Thirty dollars is deposited into the law enforcement officers training fund, six dollars into the court-appointed attorney and public defender payment fund, two dollars goes to the court appointed special advocates fund (CASA), one dollar into the 911 telecommunicator training fund, and one dollar into the abused and neglected child defense fund. The money is paid into the State Treasury for distribution (SDCL 23-3-53.)

Court Automation Fund:

–Court Automation Surcharge: A surcharge is assessed on all criminal prosecutions and civil actions to fund court automation costs. The following is the court automation fee schedule effective March 1, 2010:

Civil actions, probate proceedings, other judicial proceedings	$40.00	All Class 2 misdemeanors (violation of state law)	$23.50
Small claims where the amount in controversy is $0 to $3,999.99	$12.00	All violations of county or municipal ordinances	$17.50
$4,000 to $12,000	$16.00	All violations of administrative rules with criminal penalties	$17.50
All felony criminal cases	$61.50	All appeals, original actions or other actions filed with the Supreme Court	$50.00
All Class 1 misdemeanors	$41.50		

–Electronic Filing Fees: A fee of $1 per page ($10 minimum) for incoming fax filings. A fee of $1 per page ($5 minimum) for outgoing electronic transmission of any opinion, record, or paper from an active or inactive file in the clerk's custody.

–Record Searches: A Fee of $15.00 for each name search of court records if the search is being conducted for a person who is not a party to a pending state or federal action. A fee of $5 for each name search of court records if the search is being conducted in conjunction with a pending state court or federal court action and the person making the records search request so certifies.

–Web Judgment Searches: A Fee of $4 for each name or date search for civil judgments and $1 per judgment card.

–Non-Resident Attorney Admissions: A $100 portion of the $200 admission fee. The other $100 portion is paid to the state bar.

Victim Compensation Surcharge: A charge of $2.50 assessed against a defendant in any criminal action which resulted from a violation of state law or county or municipal ordinance (except parking violations), and which is used to assist crime victims to recover some of the costs they incurred as a result of the crime.

Domestic Abuse Surcharge: A fee of $25 assessed to any defendant convicted of a crime involving domestic violence or domestic abuse. This money is paid to the county domestic violence program fund.

Cash Fees: Fees charged for filing various civil actions. This money is paid into the county general fund.

Divorce Fee: A $50 fee for filing a divorce action. Half of the fee is deposited in the county domestic abuse program fund and the remaining half in the county general fund.

Law Library Fee: A fee of $2.00 or $5.00 charged in addition to the civil case filing fee and used to support the county law library.

Petty Offense Judgment: A judgment of $20 assessed for minor state violations designated as petty offenses. The money is deposited in the county treasury.

Restitution: Money which the court collects from a defendant to reimburse the victim for monetary loss caused by the crime. The money is paid to the victim.

Court-Appointed Attorney Fee: Costs recovered from defendants to reimburse the county general fund for payment of the defendant's court-appointed attorney. The money is paid to the county treasury.

NSF Check Charges: **A** $30 fee charged to a person who issues to the state or a political subdivision a check or other draft that is not honored by the person's bank.

Passport Fees: Fees collected for processing U.S. passport applications. These funds are paid into the state general fund.

Marriage Fees: Fees collected for processing marriage license applications. These funds are paid into the state general fund.

Adult Compact Fees: A $50 charged to all South Dakota supervised felony and applicable misdemeanor cases/clients who request a transfer of their probation supervision to another state.

Drug Testing and Monitoring Fees: Fees charged to probationers to cover the cost of drug testing or monitoring while on probation.

Child Support Modification Fees: A $50 fee for any petition or motion to modify a child support order. This fee is deposited into the "equal access to our courts" fund to be awarded as grant funds to legal services entities.

Change of Venue: Fees or fines collected to be paid to another county court.

Child Support: Payments ordered by the court from one party in a divorce action to the other party as financial support for the children involved. Effective October 1, 1998, all child support payments made as a result of a new or modified court order will be processed through the South Dakota Department of Social Services.

Civil Pass Through: Payments collected in conjunction with a civil case and forwarded to the legal recipient.

Alimony Payments: An allowance for support made under court order to a legally separated or divorced person by the former provider. Monies received are receipted and disbursed to the person as provided by the court order.

Interest-Bearing Trust Funds: Interest-bearing money deposited with a clerk pending a decision regarding ownership.

Other Fees: Collections that do not fit any of the foregoing categories.