

## Civil and Family Court Fees

High Court and County Court - From July 2009

### Important information

This leaflet sets out a selection of civil and family court fees. It is not the full list, neither is it the authority on fees.

The full lists of all court fees are contained in Statutory Instruments (SI's). known as fees orders and can be found on our website [www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)

The court fees set out in this leaflet apply to, and are the same in, both the High Court and county court, unless otherwise stated. Your local court will be able to help you identify any fee not contained in this leaflet.

### Time for payment of fees

Court fees are payable at the time you file any document or commence any process requiring a fee, unless otherwise stated.

### Methods of payment

Courts accept payment by cash, postal orders or cheques, which should be made payable to 'Her Majesty's Courts Service (HMCS)'. If you pay by cheque and it is dishonoured, the court will take steps to recover the money. Non-payment will result in your case being stayed or even struck out.

You can pay by debit or credit card if you use either of the on-line services.

### What if I cannot afford to pay a court fee?

If you cannot afford the fee, you may be eligible for a fee remission in full or in part. The combined booklet and application form 'EX160A Court Fees - Do you have to pay them' gives all the information you need. You can get a copy from any court office or from our website [www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)

### On-line services

HMCS has two internet based services; Money Claim Online (MCOL) for any money claim up to the value of £99,999.99, and Possession Claim Online (PCOL) for possessions concerning rent or mortgage arrears. You can use either of these simple, convenient and secure processes and pay a reduced fee.

For more information ask court staff or visit our websites:

[www.moneyclaim.gov.uk](http://www.moneyclaim.gov.uk)

[www.possessionclaim.gov.uk](http://www.possessionclaim.gov.uk)

## Civil court fees

### Starting your claim

#### Money claims

To issue a claim for money, the following fees will be payable based on the amount claimed, including interest:

	Court Issued Claim	Money Claim Online (MCOL)
up to £300	£30	£25
£300.01 - £500	£45	£35
£500.01 - £1,000	£65	£60
£1,000.01 - £1,500	£75	£70
£1,500.01 - £3,000	£85	£80
£3,000.01 - £5,000	£108	£100
£5,000.01 - £15,000	£225	£210
£15,000.01 - £50,000	£360	£340
£50,000.01 - £100,000	£630	£595*
£100,000.01 - £150,000	£810	N/A
£150,000.01 - £200,000	£990	N/A
£200,000.01 - £250,000	£1,170	N/A
£250,000.01 - £300,000	£1,350	N/A
more than £300,000 or an unlimited amount	£1,530	N/A

\*Maximum amount for money claims on MCOL is £99,999.99

#### Non-money claims

To issue a claim for something other than money, including possession, the following fees will be payable based on where you start your claim:

- High Court £400
- County Court £150
- Possession Claims Online (PCOL) £100

(PCOL can only be used for possessions concerning rent or mortgage arrears).

Certain non-money claims will attract the multi-track allocation, pre-trial checklist and hearing fees, set out on page 3 and 4. Check with the court to see if your case is affected.

## Counterclaims

- Money claims - the court fee payable (set out on page 3) is based on the value of the counterclaim and where the original claim was issued. If the original claim was issued in a court, the court issue fee applies, if the claim was issued through MCOL, the reduced MCOL fees apply.
- Non-money claims - the court fee payable is based on where the original claim was made, either in the High Court or county court. The court fees are set out above.

## Costs proceedings

For court fees relating to the issue of costs only or cost assessment proceedings, go to pages 7 and 8.

## General fees for civil proceedings

The fees on page 3 and 4 are payable by the claimant. Where a case proceeds on a counterclaim alone, the fees are payable by the defendant.

## Allocation to track

- |  |      |
|--|------|
| • Small Claims Track (where the claim is more than £1,500) | £35  |
| • Fast Track and Multi Track Claims                        | £200 |

The fee is paid at the same time the allocation questionnaire is filed. If allocation questionnaires are not required, the fee must be paid within 28 days (whichever is the sooner) of:

- all defences being filed; or
- the last date all defences had to be filed.

The allocation fee is based on the track you specify in the Allocation Questionnaire. If your case is allocated to a different track than the one specified, a higher fee will be payable. Where the track attracts a lower fee than the one you have paid, you can apply to the court for a refund of the difference.

## Pre-Trial Checklist and Hearing fees

Small Claim Track where the amount claimed is:

	Hearing Fee
up to £300	£25
between £300.01 and £500	£50
between £500.01 and £1,000	£75
between £1,000.01 and £1,500	£100
between £1,500.01 and £3,000	£150
more than £3,000	£300

Fast Track Claim

Multi Track Claim

Pre-Trial Checklist	Hearing Fee
£100	£500
£100	£1,000

Both fees must be paid at the same time the pre-trial checklist is filed. If pre-trial checklists are not required, or the case is on the small claims track, the fees must be paid within 14 days of:

- the despatch of the notice of the trial date or trial week; or
- the date when you are told of the trial date or trial week, if no written notice is given.

**Warning:** If you do not pay the allocation, pre-trial checklist or hearing fees when required, the court can make an order which may lead to your claim, counterclaim or defence being struck out, meaning you cannot continue with your claim or counterclaim.

## Refunding Hearing fees

### Small Claim hearing

You could get a full refund of the hearing fee if you notify the court in writing, at least 7 days before the trial date or start of the trial week, that the case is settled or discontinued.

### Fast Track, Multi Track or Non-Money Claim hearing

You could get a refund of some or all of the hearing fee if you notify the court in writing that the case is settled or discontinued. The following amounts will be refunded where the court is notified:

- more than 28 days before the hearing, 100% of fee;
- between 28 and 15 days before the hearing, 75% of fee;
- between 14 and 7 days before the hearing, 50% of fee;
- fewer than 7 days before the hearing, no refund.

### General applications

• Application on notice where no other fee is specified	£75
• Application to set aside a County Court Judgment	£75
• Application by consent or without notice where no other fee is specified	£40
• Application to vary a judgment or suspend enforcement	£35
• Application for a summons or order for a witness to attend	£35
• Application for a certificate of satisfaction of a judgment debt	£15

No fee is payable for an application by consent for an adjournment of a hearing if received by the court at least 14 days before the date of the hearing.

### Appeals

On filing an appellant's notice or respondent's notice in the:

• High Court	£200
• County Court	
- Small Claims Track	£100
- All other claims	£120

Other fees are payable in appeal proceedings where applications are made. These fees do not apply on appeals against a decision made in detailed cost assessment proceedings (see page 8).

## Insolvency proceedings

### Bankruptcy and company winding-up petitions

- Entering a petition to declare yourself bankrupt (debtor's petition) £150
- Entering a petition to make someone who owes you money bankrupt (creditor's petition) £190
- Entering a winding-up petition (companies only) £190
- Any other petition where no other fee is specified £190

These are just the court fees. An additional sum, known as the Official Receiver's deposit, is payable in cash at the same time as the court fee. The court processing your application will tell you how much the deposit is.

**Note:** Some insolvency proceedings are automatically allocated to the multi-track and will attract the multi-track listing and hearing fees set out on page 5 and 6. Check with the court to see if your case is affected.

### Other applications

- Application to convert a voluntary arrangement into a bankruptcy or winding up £130
- Application on notice in existing insolvency proceedings where no other fee is specified £60
- Application by consent or without notice in existing insolvency proceedings where no other fee is specified £30
- Request for a certificate of discharge from bankruptcy £60
- Request for a copy of a certificate of discharge from bankruptcy £5

### Bankruptcy searches

On a search in person, including where a court officer undertakes the search, of the bankruptcy and companies records in the:

- High Court, for each 15 minutes or part of 15 minutes £5
- County court £40

## Civil and Family court fees

### Copy documents

If you ask the court to make copies of documents, receive or send a fax on your behalf, or provide a copy of a document already provided:

- For between 1 and 10 pages of any document £5
- For each subsequent page of the same document 50p per sheet
- For copies of documents provided on computer disk or other electronic form £5

### Costs-only proceedings

Where parties have agreed a dispute without having issued a claim or petition, but the issue of costs has not been agreed, either party can issue a claim for costs only proceedings.

- Starting costs-only proceedings £40

### Costs assessment proceedings

Where a client is legally represented and there is a dispute over the amount of costs payable to the solicitor, the client can make an application for the costs to be assessed by the court.

- Application for an order under Part 3 of the Solicitors Act 1974 for the assessment of costs £40

## Determination of costs

On filing a request for a detailed assessment:

- Where the party who files the request is legally aided or funded by the Legal Services Commission (LSC) £140

Where the following applications are made, the fee payable depends on the amount of costs being claimed:

- Filing a request for a detailed assessment where the party filing the request is not legally aided or funded by the LSC; or
- Request for a hearing date for the assessment of costs following an order under Part 3 of the Solicitors Act 1974

where the costs claimed are:

up to £15,000	£300
£15,000.01 - £50,000	£600
£50,000.01 - £100,000	£900
£100,000.01 - £150,000	£1,200
£150,000.01 - £200,000	£1,500
£200,000.01 - £300,000	£2,250
£300,000.01 - £500,000	£3,750
more than £500,000	£5,000

- Appeal against a decision made in detailed assessment proceedings £200
- Request to issue a default costs certificate £60
- Request or application to set aside a default costs certificate £100
- Application for approval of a costs certificate payable from the Community Legal Service Fund £50

## Enforcement proceedings

If the court has ordered someone to pay you a sum of money or to return your goods, property or land, and they have not done so, you can issue enforcement proceedings.

## Order to obtain information from a judgment debtor

- To issue an application for an order for a judgment debtor or other person to attend court to provide information £50
- To request bailiff service of an order for a judgment debtor or other person to attend court to provide information £100

## **Warrants (County Court only)**

- To issue a warrant of execution (recovery of a sum of money) £100
- To issue a warrant of delivery (for goods) £95
- To issue a warrant of possession (recovery of a property or land) £95
- To request a further attempt to execute a warrant at a new address, except where a warrant has been suspended £25

## **Writs (High Court only)**

- Sealing a writ of execution (recovery of a sum of money) £50
- Sealing a writ of delivery (for goods) £50
- Sealing a writ of possession (recovery of a property or land) £50

Where a warrant or writ of delivery or possession also includes a claim for money, no additional fee is payable.

## **Attachment of Earnings (County Court only)**

- Application for an attachment of earnings order (A fee is payable for each defendant against whom the order is requested) £100

On a consolidated attachment of earnings order, a fee of 10p for every £1, or part £1, of money paid into court, is deducted from the money before it is paid out to the creditors under the order.

## **Enforcing an Award in the County Court**

- Application for the enforcement of an award for a sum of money or other decision made by any court, tribunal, body or person other than the High Court or county court, unless where exceptions apply £35

## **Enforcing an Award in the High Court**

- Request or application: £50
  - to register a judgment or order; or
  - for permission to enforce an arbitration award; or
  - for a certificate or certified copy of a judgment or order for use abroad.

## **Charging Order**

- Application for a charging order (A fee is payable for each charging order applied for) £100

## **Third Party Debt Order**

- Application for a third party debt or garnishee order (A fee is payable for each party against whom the order is requested) £100

## **Judgment Summons**

- Application for a judgment summons £100

## Family court fees

Not all county courts can deal with family cases. To find your nearest family court, ask at your local county court or visit our website at [www.hmcourts-service.gov.uk](http://www.hmcourts-service.gov.uk)

## Marriage and civil partnership proceedings

- Filing a petition, including for divorce, dissolution, annulment and judicial separation £300
- Filing a second or subsequent petition with leave granted under Family Proceedings Rule 2.6(4) £80
- Filing an answer to a petition or cross-petition £200
- Filing an amended petition £80
- Filing originating proceedings where no other fee is specified £200
- Application to make a decree nisi, absolute (divorce), or a conditional order, final (dissolution) £40

## Ancillary relief

- Application on notice for ancillary relief, other than by consent £210
- Filing a notice of intention to proceed with an application for ancillary relief £210

## Applications for injunctions

Family homes and domestic violence applications:

- Application for a non-molestation order £60
- Application for an occupation order £60

## Forced marriage applications:

- Application for a forced marriage protection order under Part 4 or Part 4A of the Family Law Act 1996 £60

An applicant can apply for any combination of these orders. Where an application is made for more than one of these orders at the same time, only one fee is payable.

## Children

The court leaflet, 'Making an Application – Children and the Family Courts – CB1' provides more information on the types of Children Act applications and who can make them. A selection of the more common applications are set out below:

### Applications under the Children Act 1989

- Application for permission, or an order, in respect of:
  - Section 8 Order (contact, prohibited steps, residence and specific issue) £175
  - Enforcement Order (in respect of a s.8 order) £175
  - Parental responsibility £175
  - Financial provision for children £175
  - Special Guardianship £140
  - Contact with a child in care £150

### Adoption and wardship

- On an application for permission, or an order, made under any provision in Part 1 of the Adoption and Children Act 2002, except s.22 £140

Children Act and Adoption applications

When applying for permission, no fee is payable on filing the subsequent application.

Where an application is made or permission is sought under two or more provisions of the Children Act 1989, or the Adoption and Children Act 2002, or the Children and Adoption Act 2006, only one fee is payable, and if the fees are different, the highest fee is paid.

### Maintenance orders

- Application for a maintenance order to be registered £35
- Application for a maintenance order to be sent abroad for enforcement £35

### Applications within proceedings

- Application on notice where no other fee is specified £80
- Application by consent or without notice where no other fee is specified £40
- Application for breach of an enforcement order £80
- Application for revocation of an enforcement order £80
- Application for attaching a warning notice to a contact order £40

## Appeals to the High Court and county court

On filing a notice of appeal:

- Of any decision in family proceedings made by a district judge in the High Court or county court £100
- Of any provision of the Children Act 1989, from a Magistrates' Court (except care and supervision orders):
  - the appeal fee is the same as the issue fee payable under each separate provision of the Children Act.
- Against a care or supervision order from a Magistrates' Court £150
- Against a contribution order £150

## Searches

### Index of decrees absolute or final orders

On a search in the index (for any specified period of 10 calendar years, or the ten most recent years) kept at:

- the Principal Registry of the Family Division; or £60
- any designated county court or District Registry £40

The fee includes a certificate of a decree absolute or final order, if appropriate.

### Index of parental responsibility agreements

- Search of the central index kept at the Principal Registry of the Family Division. £40

The fee includes a copy of the agreement, if appropriate.