



CHAPTER 7A
ARTICLE 28 - UNIFORM COSTS AND FEES IN THE TRIAL DIVISIONS

N.C.G.S. § 7A-305.

Costs in civil actions.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2017-197, s. 5.4A(a) — forty-sixth act in the lineage	RETRIEVED 21 September 2026, 07:00 UTC	SOURCE FINGERPRINT 39a4e62506c6164a27fcd7bd - 95aaf331f4860ddf033771b6 - 76e1e77a68210a3a
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- § 7A-305(a) In every civil action in the superior or district court, except for actions brought under Chapter 50B of the General Statutes, shall be assessed:
- (1) For the use of the courtroom and related judicial facilities, the sum of twelve dollars (\$12.00) in cases heard before a magistrate, and the sum of sixteen dollars (\$16.00) in district and superior court, to be remitted to the county in which the judgment is rendered, except that in all cases in which the judgment is rendered in facilities provided by a municipality, the facilities fee shall be paid to the municipality. Funds derived from the facilities fees shall be used in the same manner, for the same purposes, and subject to the same restrictions, as facilities fees assessed in criminal actions.
 - (1a) For the upgrade, maintenance, and operation of the judicial and county courthouse telecommunications and data connectivity, the sum of four dollars (\$4.00), to be credited to the Court Information Technology Fund.

- (2) For support of the General Court of Justice, the sum of one hundred eighty dollars (\$180.00) in the superior court and the sum of one hundred thirty dollars (\$130.00) in the district court except that if the case is assigned to a magistrate the sum shall be eighty dollars (\$80.00). If a case is designated as a mandatory complex business case under G.S. 7A-45.4, upon assignment to a Business Court Judge, the party filing the designation shall pay an additional one thousand one hundred dollars (\$1,100) for support of the General Court of Justice. If a case is designated as a complex business case under Rule 2.1 and Rule 2.2 of the General Rules of Practice for the Superior and District Courts, upon assignment to a Business Court Judge, the plaintiff shall pay an additional one thousand one hundred dollars (\$1,100) for support of the General Court of Justice. Sums collected under this subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of ninety-five cents (\$.95) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.19.

§ 7A-305(a1) Costs apply to any and all additional and subsequent actions filed by amendment or counterclaim to the original action brought under Chapter 50B of the General Statutes, unless such additional and subsequent amendment or counterclaim to the action is limited to requests for relief authorized by Chapter 50B of the General Statutes.

§ 7A-305(a2) In every action for absolute divorce filed in the district court, a cost of seventy-five dollars (\$75.00) shall be assessed against the person filing the divorce action. Costs collected by the clerk pursuant to this subsection shall be remitted to the State Treasurer, who shall deposit seventy-five dollars (\$75.00) to the Domestic Violence Center Fund established under G.S. 50B-9. Costs assessed under this subsection shall be in addition to any other costs assessed under this section.

§ 7A-305(a3) ,(a4) Repealed by Session Laws 2008-118, s. 2.9(c), effective July 1, 2008.

§ 7A-305(a5) In every civil action in the superior or district court wherein a party files a pleading containing one or more counterclaims, third-party complaints, or cross-claims, except for counterclaim and cross-claim actions brought under Chapter 50B of the General Statutes for which costs are assessed pursuant to subsection (a1) of this section, the following shall be assessed:

- (1) For the use of the courtroom and related judicial facilities, the sum of twelve dollars (\$12.00) in cases heard before a magistrate, and the sum of sixteen dollars (\$16.00) in district and superior court, to be remitted to the municipality providing the facilities in which the judgment is rendered. If a municipality does not provide the facilities in which the judgment is rendered, the sum is to be remitted to the county in which the judgment is rendered. Funds derived from the facilities' fees shall be used in the same manner, for the same purposes, and subject to the same restrictions as facilities' fees assessed in criminal actions.
- (2) For the upgrade, maintenance, and operation of the judicial and county courthouse phone systems, the sum of four dollars (\$4.00), to be credited to the Court Information Technology Fund.
- (3) For support of the General Court of Justice, the sum of one hundred eighty dollars (\$180.00) in the superior court, except that if a case is assigned to a special superior court judge as a complex business case under G.S. 7A-45.3, filing fees shall be collected and disbursed in accordance with subsection (a) of this section, and the sum of one hundred thirty dollars (\$130.00) in the district court, except that if the case is assigned to a magistrate, the sum shall be eighty dollars (\$80.00). Sums collected under this subdivision shall be remitted to the State Treasurer. The State Treasurer shall remit the sum of ninety-five cents (\$.95) of each fee collected under this subdivision to the North Carolina State Bar for the provision of services described in G.S. 7A-474.19.

§ 7A-305(b)

On appeal, costs are cumulative, and when cases heard before a magistrate are appealed to the district court, the General Court of Justice fee and the facilities fee applicable in the district court shall be added to the fees assessed before the magistrate. When an order of the clerk of the superior court is appealed to either the district court or the superior court, no additional General Court of Justice fee or facilities fee shall be assessed.

§ 7A-305(b1)

When a defendant files an answer in an action filed as a small claim which requires the entire case to be withdrawn from a magistrate and transferred to the district court, the difference between the General Court of Justice fee and facilities fee applicable to the district court and the General Court of Justice fee and facilities fee applicable to cases heard by a magistrate shall be assessed. The defendant is responsible for paying the fee.

- § 7A-305(c)** The clerk of superior court, at the time of the filing of the papers initiating the action or the appeal, shall collect as advance court costs, the facilities fee, General Court of Justice fee, and the divorce fee imposed under subsection (a2) of this section, except in suits by an indigent. The clerk shall also collect the fee for discovery procedures under Rule 27(a) and (b) at the time of the filing of the verified petition.
- § 7A-305(d)** The following expenses, when incurred, are assessable or recoverable, as the case may be. The expenses set forth in this subsection are complete and exclusive and constitute a limit on the trial court's discretion to tax costs pursuant to G.S. 6-20:
- (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. Fees for personal service by a private process server may be recoverable in an amount equal to the actual cost of such service or fifty dollars (\$50.00), whichever is less, unless the court finds that due to difficulty of service a greater amount is appropriate.
 - (7) Fees of mediators appointed by the court, mediators agreed upon by the parties, 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.
 - (10) Reasonable and necessary expenses for stenographic and videographic assistance directly related to the taking of depositions and for the cost of deposition transcripts.
 - (11) Reasonable and necessary fees of expert witnesses solely for actual time spent providing testimony at trial, deposition, or other proceedings.

(12) The fee assessed pursuant to subdivision (2) of subsection (a) of this section upon assignment of a case to a special superior court judge as a complex business case.

Nothing in this subsection or in G.S. 6-20 shall be construed to limit the trial court's authority to award fees and expenses in connection with pretrial discovery matters as provided in Rule 26(b) or Rule 37 of the Rules of Civil Procedure, and no award of costs made pursuant to this section or pursuant to G.S. 6-20 shall reverse or modify any such orders entered in connection with pretrial discovery.

§ 7A-305(e) Nothing in this section shall affect the liability of the respective parties for costs as provided by law.

§ 7A-305(f) For the support of the General Court of Justice, the sum of twenty dollars (\$20.00) shall accompany any filing of a notice of hearing on a motion not listed in G.S. 7A-308 that is filed with the clerk. No costs shall be assessed to a notice of hearing on a motion containing as a sole claim for relief the taxing of costs, including attorneys' fees, to a motion filed pursuant to G.S. 1C-1602 or G.S. 1C-1603, or to a motion filed by a child support enforcement agency established pursuant to Part D of Title IV of the Social Security Act. No more than one fee shall be assessed for any motion for which a notice of hearing is filed, regardless of whether the hearing is continued, rescheduled, or otherwise delayed.

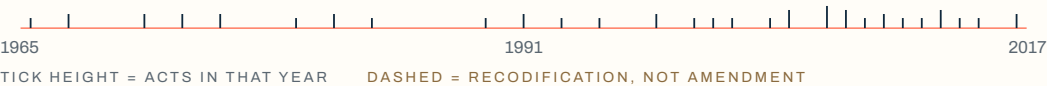
END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
46 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1965	c. 310, s. 1	ENACTED
02	1967	c. 108, s. 10	AMENDED
03	1967	c. 691, s. 30	AMENDED
04	1971	c. 377, ss. 23, 24	AMENDED

05	1971	c. 1181, s. 1	AMENDED
06	1973	c. 503, ss. 12-14	AMENDED
07	1973	c. 1267, s. 3	AMENDED
08	1975	c. 558, s. 3	AMENDED
09	1975	2nd Sess., c. 980, ss. 2, 3	AMENDED
10	1979	2nd Sess., c. 1234, s. 1	AMENDED
11	1981	c. 555, s. 6	AMENDED
12	1981	c. 691, s. 2	AMENDED
13	1983	c. 713, ss. 4-6	AMENDED
14	1989	c. 786, s. 2	AMENDED
15	1991	c. 742, s. 15(b)	AMENDED
16	1991	1991 (Reg. Sess., 1992), c. 811, s. 2	AMENDED
17	1993	c. 435, s. 6	AMENDED
18	1995	c. 275, s. 2	AMENDED
19	1998	S.L. 1998-212, s. 29A.12(b)	AMENDED
20	1998	S.L. 1998-219, ss. 2, 3	AMENDED
21	2000	S.L. 2000-109, s. 4(b)	AMENDED
22	2001	S.L. 2001-424, s. 22.14(b)	AMENDED
23	2002	S.L. 2002-126, ss. 29A.4(b), 29A.6(e)	AMENDED
24	2004	S.L. 2004-186, s. 4.3	AMENDED
25	2005	S.L. 2005-276, s. 43.1(b)	AMENDED
26	2005	S.L. 2005-405, s. 5	AMENDED
27	2005	S.L. 2005-425, s. 1.2	AMENDED
28	2007	S.L. 2007-212, s. 3	AMENDED
29	2007	S.L. 2007-293, s. 2	AMENDED
30	2007	S.L. 2007-323, ss. 30.8(b), 30.10(a), 30.11(a), (c)	AMENDED
31	2007	S.L. 2007-345, ss. 9.1(a), (c)	AMENDED
32	2008	S.L. 2008-107, ss. 29.1(a), 29.8(b)	AMENDED
33	2008	S.L. 2008-118, s. 2.9(c)	AMENDED
34	2008	S.L. 2008-193, s. 2	AMENDED

35	2009	S.L. 2009-451, s. 15.20(d), (e)	AMENDED
36	2010	S.L. 2010-31, ss. 15.5(b), 15.8(a)	AMENDED
37	2010	S.L. 2010-123, s. 6.1	AMENDED
38	2011	S.L. 2011-145, s. 31.23(b)	AMENDED
39	2012	S.L. 2012-142, s. 16.5(c)	AMENDED
40	2013	S.L. 2013-225, ss. 2, 3, 4(a)	AMENDED
41	2013	S.L. 2013-360, ss. 18B.17(a), 30.2(a), 30.2(a1)	AMENDED
42	2013	S.L. 2013-363, s. 7.1	AMENDED
43	2014	S.L. 2014-102, s. 4	AMENDED
44	2015	S.L. 2015-241, s. 18A.23(c)	AMENDED
45	2017	S.L. 2017-57, s. 18B.10(b)	AMENDED
46	2017	S.L. 2017-197, s. 5.4A(a)	AMENDED

APPARATUS II

9 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 7A-45.4	(a)(2)	"a mandatory complex business case under"
G.S. 7A-474.19	(a)(2)	"the provision of services described in"
G.S. 50B-9	(a2)	"Domestic Violence Center Fund established under"
G.S. 7A-45.3	(a5)(3)	"as a complex business case under"
G.S. 6-20	(d)	"discretion to tax costs pursuant to"
G.S. 1-109	(d)(9)	"bonds for prosecution, as authorized by"
G.S. 7A-308	(f)	"on a motion not listed in"
G.S. 1C-1602	(f)	"to a motion filed pursuant to"
G.S. 1C-1603	(f)	"filed pursuant to G.S. 1C-1602 or"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 7A-305 (2017).

PINPOINT

N.C. Gen. Stat. § 7A-305(a) (2017).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1965, c. 310, s. 1; 1967, c. 108, s. 10; c. 691, s. 30; 1971, c. 377, ss. 23, 24; c. 1181, s. 1; 1973, c. 503, ss. 12-14; c. 1267, s. 3; 1975, c. 558, s. 3; 1975, 2nd Sess., c. 980, ss. 2, 3; 1979, 2nd Sess., c. 1234, s. 1; 1981, c. 555, s. 6; c. 691, s. 2; 1983, c. 713, ss. 4-6; 1989, c. 786, s. 2; 1991, c. 742, s. 15(b); 1991 (Reg. Sess., 1992), c. 811, s. 2; 1993, c. 435, s. 6; 1995, c. 275, s. 2; 1998-212, s. 29A.12(b); 1998-219, ss. 2, 3; 2000-109, s. 4(b); 2001-424, s. 22.14(b); 2002-126, ss. 29A.4(b), 29A.6(e); 2004-186, s. 4.3; 2005-276, s. 43.1(b); 2005-405, s. 5; 2005-425, s. 1.2; 2007-212, s. 3; 2007-293, s. 2; 2007-323, ss. 30.8(b), 30.10(a), 30.11(a), (c); 2007-345, ss. 9.1(a), (c); 2008-107, ss. 29.1(a), 29.8(b); 2008-118, s. 2.9(c); 2008-193, s. 2; 2009-451, s. 15.20(d), (e); 2010-31, ss. 15.5(b), 15.8(a); 2010-123, s. 6.1; 2011-145, s. 31.23(b); 2012-142, s. 16.5(c); 2013-225, ss. 2, 3, 4(a); 2013-360, ss. 18B.17(a), 30.2(a), 30.2(a1); 2013-363, s. 7.1; 2014-102, s. 4; 2015-241, s. 18A.23(c); 2017-57, s. 18B.10(b); 2017-197, s. 5.4A(a).)

