

**REPORT TO THE ALABAMA
LEGISLATURE**

**Joint Interim Study
Commission on Court Costs**

Created by Act 2025-244 (HJR163)

Submitted by

Hon. Sarah Hicks Stewart

Chief Justice, Alabama Unified Judicial System
Chair, Joint Interim Study Commission on Court Costs

On behalf of the

Joint Interim Study Commission on Court Costs

I. Executive Summary

The Alabama Legislature created the Joint Interim Study Commission on Court Costs ("the Commission") in 2025 through Act 2025-244 (HJR163) to study Alabama's court costs and recommend ways to make them simpler, more uniform, and more transparent statewide. This report summarizes what the Commission found and recommends next steps.

In plain terms, a "court cost" is money a person pays when they file a case in court or, in criminal cases, when they are convicted. Alabama charges a base set of costs that apply the same way in every county ("statewide" costs), plus an additional layer of local costs that differ from county to county. Those local costs were added one county at a time, through hundreds of separate pieces of legislation, over more than 40 years.

The Commission's central finding is that this local layer has become a patchwork. Some counties add only one local fee to a filing; others add ten. The dollar difference between the least and most expensive counties, just for the local add-on portion of a standard civil filing fee, ranges from \$0 to \$182. There is no single, current list that explains why each fee exists, whether it is still needed, or in some cases whether it is still being collected at all.

The report that follows lays out how Alabama got here, what the current system looks like county by county, how Alabama's court costs compare with neighboring and peer states, and the policy tensions the Commission identified for further consideration by the Legislature. It closes with a set of recommendations aimed at more uniformity and transparency, without recommending that the Legislature strip away court cost funding that many local courts, sheriffs, district attorneys, and other county offices depend on today.

Key Findings at a Glance

- Alabama's local court cost "add-ons" come from roughly 250 or more separate local statutes and about 73 local constitutional amendments, built up mostly in three waves: the 1980s (jail construction), the 1990s (law libraries, juvenile services, sheriff and law enforcement fees), and the 2000s forward (drug courts, mental health courts, and domestic violence programs).
- At least 13 of these local fees include "sunset" language (they were supposed to expire or end once a debt was paid), and it is not clear whether those fees are still being collected today.
- On a standard circuit civil filing under \$50,000, the statewide portion of the fee (\$244) is identical everywhere in Alabama. The local add-on, however, ranges from \$0 (several counties) to \$182 (Madison County), with a statewide average local add-on of about \$30.
- Civil filing fees are collected at close to 100% of the time. Criminal court costs, fines, and fees are collected at only about 15–20% of the time, because most people convicted of crimes have very limited ability to pay, especially while incarcerated.
- Alabama's neighbors handle this differently. South Carolina and North Carolina run essentially uniform, statewide fee schedules with little or no local variation. Louisiana, by contrast, is even more fragmented than Alabama, with fees set parish-by-parish. Tennessee recently adopted a multi-year, pre-scheduled statewide fee increase (2026, 2027, 2028) rather than a single one-time hike.

Key Recommendations at a Glance

- Move toward a simpler, more uniform statewide fee structure over time, while giving counties, sheriffs, clerks, district attorneys, and judges more flexibility in how existing local funds already collected can be spent, rather than continuing to pass new one-off local acts.
- Require every new local or state court cost bill going forward include a periodic legislative review date, so the Legislature checks every few years whether a fee is still needed, still collected, and still used for its original purpose.
- Adopt a standing, transparent mechanism (for example, tied to an inflation index such as the CPI) to adjust statewide court costs over time, so funding for the court system does not fall further and further behind the actual cost of running it.
- Direct the Legislative Services Agency and Administrative Office of Courts to complete a full public inventory of every local court cost currently on the books, including whether it is still being collected, as a foundation for any future consolidation.
- Examine the separate policy question of whether some existing local surcharges that fund non-court functions (jails, general county funds, law enforcement) should eventually be handled through a different funding mechanism entirely, separate from the court filing process.
- Consider the economic feasibility of relying on often-uncollectible criminal court costs and fees assessed at the time of a criminal offender's sentencing as a source of revenue for the courts, law enforcement, and district attorneys offices.

- Preserve the Legislature's ability to direct a share of statewide court costs specifically to the operation of the Alabama Judicial Branch itself.

II. The Legislature's Charge to the Commission

In the 2025 Regular Session, the Alabama Legislature adopted House Joint Resolution 163, enacted as Act 2025-244. The resolution states plainly why the Commission was needed: court costs are inconsistent across the state, and a "simple, standardized, and transparent" set of court costs would benefit both the state and its citizens.

The Act created the Joint Interim Study Commission on Court Costs and charged it with two jobs: (1) study Alabama's court costs, and (2) recommend changes that would make those costs more uniform across the state. The Act required the Commission's membership to include legislative leaders from the House and Senate budget and judiciary committees, the Chief Justice as chair, circuit and district judges, district attorneys, practicing attorneys appointed by the Alabama State Bar, a circuit clerk, and representatives of county commissions and the Office of Prosecution Services. The Act also directed that appointments reflect the racial, gender, geographic, urban, rural, and economic diversity of the state.

The Act states the Commission must deliver a report of its recommendations to the Legislature, at which point the Commission stands dissolved. This report is submitted to satisfy that requirement.

Why This Matters in Practical Terms

For an average Alabamian who has never set foot in a courtroom, the simplest way to think about this charge is: two people file the exact same kind of lawsuit in two different Alabama counties, and today they can pay noticeably different amounts to do it — not because their cases are different, but because their counties passed different local laws decades ago. The Legislature asked the Commission to figure out how big that gap is, why it exists, and what, if anything, should be done about it.

III. Commission Meetings and Membership

The Commission convened three times during 2025 to carry out its charge. Each meeting complied with the Open Meetings Act and was attended by the media and other interested parties. The Commission membership is listed below. As a result of the meetings, the Commission developed four main work products that form the backbone of this report: (1) updated local court cost distribution charts for every county, (2) an analysis of court costs and local fees prepared by Circuit Judge Stephen Wallace of the 10th Judicial Circuit, (3) a comparison of local civil and domestic relations court costs across counties, and (4) a report on how other states structure their court costs, presented by Commission member Steve Nicholas.

Commission Membership

Role	Member(s)
Chair, House Ways and Means General Fund Committee	Representative Rex Reynolds (Representative Chris Blackshear attending in his place)
Chair, Senate Finance and Taxation General Fund Committee	Senator Greg Albritton
Chair, House Judiciary Committee	Representative Jim Hill
Chair, Senate Judiciary Committee	Senator Will Barfoot
Ranking Minority Member, House Judiciary Committee	Representative Chris England
Ranking Minority Member, Senate Judiciary Committee	Senator Rodger Smitherman
Chief Justice of the Alabama Supreme Court, or designee (Chair)	Chief Justice Sarah Stewart
Circuit Judges (3), appointed by the President of the Alabama Association of Circuit Court Judges	Judge Chuck Price, Judge Jeff Kelley, and Judge Patrick Tuten

Role	Member(s)
District Judge (1), appointed by the President of the Alabama Association of District Court Judges	Judge Mitch Floyd
District Attorneys (2), appointed by the President of the Alabama District Attorneys Association	Bob Wilters and Lyle Harmon
Practicing Attorneys (3), appointed by the President of the Alabama State Bar	Steve Nicholas, Mark Debro, and JD Lloyd
Circuit Clerk (1), appointed by the President of the Alabama Circuit Clerks Association	Mary Roberson
Executive Director, Association of County Commissions of Alabama, or designee	Sonny Brasfield
Executive Director, Office of Prosecution Services, or designee	Trish Cater

IV. Understanding Alabama Court Costs: A Plain-Language Primer

The term “court costs” is used loosely to describe several different kinds of charges. This section explains the basic categories in everyday language before the report turns to the data.

Filing Fees (Civil Cases)

When someone starts a lawsuit — a divorce, a contract dispute, a small claims case — they pay a fee to open the case. This fee is charged whether or not the case ever goes to trial. It funds the basic administrative cost incurred by Alabama’s Judicial Branch of processing the case through the court system.

Court Costs Assessed on Conviction (Criminal Cases)

In a criminal case, court costs are not charged up front. They are assessed against the defendant only if convicted. These costs can include a base court cost, a solicitor's (district attorney's) fee, probation fees, and other charges tied to the prosecution of the case. Unlike civil filing fees, these are rarely fully collected.

Fines and Restitution (Different from Court Costs)

A fine is a separate penalty imposed as punishment for a crime (for example, a fine for a DUI or a drug conviction). Restitution is money owed to a victim. Neither is technically a “court cost,” but both are often discussed alongside court costs because they are collected through the same court process.

Statewide Costs vs. Local Costs

Every county charges the same statewide base court cost, set by state law, on the same type of case. On top of that, most counties also charge one or more additional local fees, created by individual local laws passed for that county alone, over the last four decades. These local fees are the main source of the inconsistency the Legislature asked the Commission to study.

Where the Money Goes

Statewide court costs mostly go to the State General Fund, but a portion also funds the operations of the Alabama Judicial Branch statewide. Local court costs, by contrast, are frequently earmarked for a specific local recipient named in the local act: a county jail fund, a sheriff's fund, a district attorney's fund, a law library, a juvenile services fund, or the county general fund. In many counties, only a small piece of what is collected at the courthouse window actually goes to the Alabama Judicial Branch to fund the court system itself.

V. How Alabama's Court Costs Developed Over Time

Alabama's court costs started out simple: a uniform, modest fee meant to cover basic administrative and courtroom operating costs, the same in every county. Over the following decades, growth in population, caseloads, and the complexity of the court system — combined with recurring state and local budget pressure — led the Legislature and county governments to add new costs, piece by piece, rather than through a single coordinated framework.

1980s – Jail and Detention Construction

Many counties added jail construction surcharges in the early 1980s, typically \$5 to \$10 per case, to help build or pay off debt on new county jail facilities. Some of these fees were written to end once the debt was paid; others were written to continue permanently for jail operations and maintenance even after the original debt was retired.

Mid-1980s to 2000 – Law Libraries, Juvenile Services, and Law Enforcement

A wave of law library fees (typically \$2 to \$3 per case) spread to nearly every county by the 1990s. At the same time, many counties added juvenile court, detention, or supervision fees; that trend largely stopped after 2000. Sheriff's service-of-process fees (\$20 to \$30 per document served or per warrant) and other general law enforcement fund fees also proliferated during this decade.

Early 2000s – Accountability Courts

As Alabama developed accountability courts — drug courts, mental health courts, and family court diversion programs — new local fees were added in some counties to help fund those programs.

Mid-2000s to 2010s – Domestic Violence and Victim Services

Baldwin, Jefferson, and Montgomery Counties adopted local surcharges to fund domestic violence programs; Tuscaloosa County added Alabama's only direct victim services fee.

Post-2010 – Specialized Funds

More recent additions have been narrower and more targeted, such as Baldwin County's mental health court fund.

The Growing Reliance on Court-System Revenue for Non-Court Functions

Beginning in the 1980s and accelerating through the 1990s, the pattern shifted from funding basic court operations in the Alabama Judicial Branch toward using the court filing process as a revenue mechanism for a much wider range of county and state programs — sheriffs' offices, jails, district attorneys, law enforcement training, and various diversion and treatment programs. This shift is the root of why “court costs” today often fund things that have little directly to do with running a courtroom.

The Collection Problem

Civil filings are collected at close to 100 percent, because a case generally cannot proceed until the filing fee is paid. Criminal court costs and fees behave very differently: the collection rate on criminal cases is only about 15 to 20 percent. Most criminal defendants have very limited financial means, and a defendant who is incarcerated has no income at all while the debt continues to accrue. When a defendant is later released, years of accumulated costs and fees are often uncollectible in practice. This is one reason the Commission cautions against treating criminal-defendant-funded court costs as an economically feasible revenue source.

Access to Justice Concerns

As court costs grew, so did concern about their effect on low-income Alabamians' ability to use the courts at all. A criminal defendant who cannot pay is protected in two ways: court costs are not assessed unless

convicted, and an indigent defendant is entitled to a court-appointed lawyer at state expense. A civil litigant, however, generally must pay the filing fee up front unless first declared indigent by a trial judge. This concern led to the creation of the Alabama Access to Justice Commission in 2007 and remains a current issue for low-income Alabamians who must pay to file a case before they can be heard.

VI. Current Landscape of Court Costs

A. Statewide Filing Fees for Civil and Domestic Relations Cases

The clearest illustration of the uniformity problem is in the ordinary civil filing fee. Every county in Alabama charges the identical statewide portion of the fee — for example, \$244 for a standard circuit civil case under \$50,000. But the local add-on that gets stacked on top of that statewide fee varies enormously by county, from \$0 to \$182, on the exact same type of case.

Case Type	Statewide Portion	Average Local Add-On	Average Total
Circuit Civil (under \$50,000)	\$244.00	\$30.24	\$274.24
Circuit Civil (over \$50,000)	\$344.00	\$30.24	\$374.24
Domestic Relations – Original Filing	\$192.00	\$29.38	\$221.38
DR Modification / Enforcement	\$295.00	\$29.38	\$324.38

County	Local Add-On (Circuit Civil, under \$50,000)	Notes
Montgomery, Etowah, Franklin, Lowndes, St. Clair, Tallapoosa, Marengo	\$2.00	Among the lowest local add-ons statewide
Madison	\$182.00	Highest local add-on statewide
Jackson	\$177.00	Second-highest local add-on statewide

County	Local Add-On (Circuit Civil, under \$50,000)	Notes
Coosa	\$88.00	Third-highest local add-on statewide

The full county-by-county breakdown of civil and domestic relations filing fees is provided at Appendix D.

B. How the Local Patchwork Was Built, Era by Era

The local add-on layer was not created according to a plan. It grew in identifiable waves, each tied to a particular need or crisis of its time:

Era	Fee Type	Typical Amount	Notes
Early 1980s	Jail / detention construction	\$5–\$10 / case	Some end when debt is paid; others continue permanently
Mid-1980s–1990s	Law library funds	\$2–\$3 / case	Nearly all 67 counties by the 1990s (30 identified)
Late 1980s–2000	Juvenile / youth services	Varies	Spiked, then almost none created after 2000
1990s	Sheriff's service fees / law enforcement	\$20–\$30 / document	Proliferated statewide
Early 2000s	Drug court / mental health / diversion	Varies	Tied to rise of accountability courts
Mid-2000s–2010s	Domestic violence / victim services	Varies	Baldwin, Jefferson, Montgomery (DV);

Era	Fee Type	Typical Amount	Notes
			Tuscaloosa (victims)
Post-2010	Specialized funds	Varies	E.g., Baldwin mental health court fund

C. What the Local Fees Actually Pay For

Judge Stephen Wallace of the 10th Judicial Circuit led an analysis, on behalf of the Commission, of every identifiable local court cost statute and constitutional amendment in the state. That analysis sorted local fees into the following recurring categories:

Category	Counties	Detail
Solicitor / District Attorney Fees	40	32 “Solicitor's Fee” provisions; 8 “District Attorney's Fee” provisions
Clerk / Court Administration Fees	~67	Nearly every county
Sheriff / Jail / Law Enforcement Fees (total)	~67	Jail construction (23); jail/detention operations (16); general law enforcement (29); sheriff's service of process (23)
Juvenile / Youth Services Funds	16	Detention, supervision, court services
Law Library Fund	30	
General County Funds	10	
Drug / Mental Health / Diversion Court Funds	13	
Domestic Violence Shelters / Funds	3	

Category	Counties	Detail
Specialized Programs	4	Family court funds, public defender funds, Crime Stoppers, School Resource Officers

Two things stand out from this table. First, sheriff, jail, and law enforcement funding is by far the largest category, touching nearly every county — which means a large share of what looks like a “court cost” on a filing is, in practice, funding for county law enforcement rather than the court system under the Alabama Judicial Branch. Second, several categories (domestic violence, specialized programs) are highly localized, meaning residents of most counties never contribute to them at all while residents of a handful of counties fund them through every filing.

D. Sunset Clauses and Constitutional Authority

Sunset Clauses

Thirteen local acts or amendments include “sunset” language — wording that says the fee expires, ends once a debt is paid, or is otherwise subject to repeal. Some of these have in fact been repealed. For others, it is unclear whether the triggering event (such as full repayment of jail construction debt) has already happened, and if so, whether the county has actually stopped collecting the fee. Most of these sunset-eligible fees relate to county jail construction projects or a past statewide budget shortfall.

Constitutional vs. Statutory Authority

Section 96 of the Alabama Constitution of 2022 states the general uniformity rule that the Legislature relies on for this entire project:

“The legislature shall not enact any law not applicable to all the counties in the state, regulating costs and charges of courts, or fees, commissions or allowances of public officers.”

In practice, the Legislature has worked around this general rule in one of two ways for any given county: either (1) the voters of that county ratified a local constitutional amendment that specifically authorizes local court cost legislation for that county, or (2) the Legislature passed a statutory local act under Title 45 of the Code of Alabama, relying on that county's constitutional amendment as its authority.

The Commission found approximately 73 local constitutional amendments and more than 250 statutory local acts under Title 45 addressing court costs and fees. Of the 67 counties, 63 have a constitutional amendment that expressly authorizes this kind of statutory local act. Four to five counties — including Bullock, Crenshaw, Franklin, and Jackson — have constitutional amendments on the books that address related topics (such as placing a probate judge on salary) but do not appear to expressly authorize the county's court cost or fee legislation. This is a legal uniformity question the Legislature may wish to have reviewed by legislative counsel, since most local surcharges statewide rest on statutory acts rather than constitutional amendments, which is itself a question of validity under Section 96 that is beyond the scope of this Commission to resolve.

E. County-by-County Disparities

The Commission compared a sample of counties with the most individually itemized local charges against a sample with the fewest. The gap is stark: counties in the high-charge sample average \$158.78 in local charges stacked onto a filing, while counties in the low-charge sample average only \$27.67 — nearly a six-to-one difference for what is, legally, the same type of case. Across the full sample, the average county has about 3.9 separate local charges, and the single largest individual local fee identified anywhere in the state is Baldwin County's incarceration fee, which can add up to \$1,000 to a case.

Sample – Counties with More Itemized Local Charges

County	# of Local Charges	Total Local \$	Notes
Baldwin	10	\$170	Up to \$1,170 including a \$1,000 incarceration fee add-on
Cleburne	10	\$144	
Jackson	6	\$322	
Madison	6	\$246	
Pickens	7	\$170	
Shelby	7	\$146	
Tuscaloosa	5	\$151	
Jefferson (incl. Birmingham & Bessemer)	6	\$41	
Mobile	4	\$39	
Average (this group)	—	\$158.78	

Sample – Counties with Fewer Itemized Local Charges

County	# of Local Charges	Total Local \$	Notes
Bullock	1	\$50	
Conecuh	1	\$45	
Marion	1	\$25	
Franklin	2	\$21	
Montgomery	1	\$20	
Sumter	1	\$5	
Average (this group)	—	\$27.67	

VII. How Alabama Compares to Other States

Commission member Steve Nicholas presented a survey of how surrounding and peer states structure their court costs. The results show that Alabama sits in the middle of a spectrum, with some states far more fragmented and others far more uniform:

State	Civil Filing Fee Approach	How It Compares to Alabama
Texas	Statewide base fee (~\$137–\$213 depending on court) plus a separate, smaller local component set by county	Similar two-part (state + local) structure to Alabama, but the state portion is far more standardized and the local portion is smaller
Louisiana	No statewide fee at all; each parish clerk of court sets its own filing and per-page recording fees (\$250–\$700+ for an original petition)	More fragmented than Alabama — there is no statewide floor, only 64 independent parish fee schedules
Mississippi	County-by-county circuit/chancery filing fees (\$158–\$313 for a complaint), no unifying statewide schedule identified	Comparable patchwork to Louisiana; less uniform than Alabama's statewide base
Georgia	Fairly standardized filing fees across superior, state, and magistrate courts (~\$61–\$218), with small recording fee add-ons	More uniform than Alabama; local variation is modest
Florida	Statewide tiered schedule keyed to the dollar amount in controversy (\$55–\$400+), applied consistently by county	More uniform than Alabama; the variation that exists is tied to case value, not geography

State	Civil Filing Fee Approach	How It Compares to Alabama
Kentucky	Circuit civil filing fees cluster around \$198–\$223 with modest county-level variation in service and jury fees	Less variation than Alabama's local add-on layer
Tennessee	Statewide categories by case type, with a pre-scheduled three-year statutory increase already enacted for 2026, 2027, and 2028	Notably more transparent model: increases are legislated in advance on a public schedule rather than added piecemeal
Virginia	Statewide tiered schedule keyed to the amount in controversy (\$77–\$351), essentially identical county to county	More uniform than Alabama
South Carolina	A single statewide flat-fee schedule (e.g., \$150 for a new case) with no local add-ons identified	Among the most uniform models reviewed; essentially the opposite of Alabama's current structure
North Carolina	A single statewide schedule by court level (\$96–\$200), no local variation identified	Among the most uniform models reviewed; essentially the opposite of Alabama's current structure

Two comparisons are especially useful for the Legislature's consideration. First, Louisiana and Mississippi show what happens when a state has no statewide floor at all — costs become almost entirely a function of which parish or county a case happens to be filed in, an outcome more fragmented than Alabama's current system. Second, South Carolina, North Carolina, Virginia, and Florida show the other end of the spectrum: a single statewide schedule with little or no local variation, which is closer to what the Legislature asked the

Commission to consider. Tennessee's approach — a statutory schedule of increases set years in advance and applied uniformly — offers a specific, concrete model for how Alabama could adjust statewide costs predictably rather than through recurring one-time legislation.

VIII. Key Policy Issues Identified by the Commission

1. Uniformity vs. Local Funding Needs

Section 96 of the Alabama Constitution generally requires court costs to be uniform statewide, yet the current system runs almost entirely on county-specific exceptions to that rule. Many local offices — sheriffs, district attorneys, law libraries, juvenile services — have come to depend on this local funding stream over decades. Any move toward uniformity has to reckon with the fact that removing a local fee removes real, currently-relied-upon funding for a local office, not just an abstract inconsistency.

2. The Court System Is Funding a Wide Range of Non-Court Functions

Because local fees are collected at the courthouse but earmarked for jails, sheriffs, general county funds, and specialty programs, the public (and the Legislature) can reasonably lose track of how much of a “court cost” actually funds the court system of the Alabama Judicial Branch itself versus other county functions. This blurs accountability: a rising “court cost” does not necessarily mean the Alabama Judicial Branch is receiving more money.

3. An Aging, Undocumented Patchwork

With more than 250 statutory local acts and roughly 73 constitutional amendments built up since the early 1980s, the state currently has no single, current, public inventory confirming which fees are still legally in effect, still being collected, and still funding their original purpose. Sunset clauses in at least 13 acts add further uncertainty about which fees have already lapsed.

4. A Legal Authority Gap in a Handful of Counties

Four to five counties do not appear to have express constitutional authority for the local court cost or fee legislation on their books, which

raises a Section 96 uniformity and validity question that the Legislature may want reviewed by legislative counsel.

5. Collection Reality Limits the Criminal Side as a Funding Source

Civil filing fees are collected at nearly 100 percent, but criminal court costs, fines, and fees are collected at only about 15 to 20 percent, largely because most convicted defendants have very limited ability to pay, particularly while incarcerated. This means that criminal-defendant-funded court costs are not an economically reliable way to fund Alabama Judicial Branch court operations, or any of the other Executive Branch entities such as District Attorneys' offices, Sheriffs, and other law enforcement, however logical they may appear on paper.

6. No Standing Mechanism to Keep Pace With the Cost of Running the Courts

Alabama's statewide court costs are set by static dollar amounts in statute. Unlike wages, technology costs, and the general cost of operating a statewide agency, these amounts do not adjust automatically over time. Every adjustment requires a new act of the Legislature, which means funding for the court system's operations can fall further behind actual operating costs the longer it has been since the last legislative change — a dynamic Tennessee's pre-scheduled, multi-year fee statute is specifically designed to avoid. Tying the fees to a standardized economic indicator, such as the Consumer Price Index, would be another reliable way to ensure fees going to Alabama Judicial Branch operations keep pace with the economy.

7. Alabama's Unified Structure Raises the Stakes on Getting This Right

The Alabama Judicial Branch operates under a single, unified judicial system: all administrative functions — human resources, training, payroll, purchasing, and information technology — run through one statewide organization, the Administrative Office of Courts. This is

different from states such as Georgia and Texas, which are not unified and instead rely on multiple regional or county-level administrative offices. Alabama's single unified judicial system model is more efficient, but it also means that the Alabama Judicial Branch's statewide personnel and operating costs are concentrated in one budget, funded primarily through general fund appropriations with a comparatively small supplement from the Alabama Judicial Branch's share of court costs. Because courthouse buildings themselves are the responsibility of individual county commissions rather than the Alabama Judicial Branch, the judicial budget overwhelmingly consists of personnel salaries and benefits. That structure makes stable, predictable statewide court system funding for the Alabama Judicial Branch particularly worthy of the Legislature's ongoing attention, separate and apart from the local uniformity questions this report otherwise addresses.

IX. Commission Recommendations

The Commission offers the following recommendations. They are intended as a starting framework for the Legislature's continued work on this issue, not a final or complete solution — several of the harder structural questions below will require further study beyond what this Commission was able to complete in its charge period.

1. Build a Complete, Public Inventory Before Consolidating Anything

The Legislature should direct the Legislative Services Agency and the Administrative Office of Courts to complete and publish a full, current inventory of every local court cost currently authorized in Alabama — by county, code section, amount, recipient, sunset status, and (where available) most recent annual collections. This report and the Commission's working spreadsheets are a strong starting point but the Commission was not able to confirm current collection status for every one of the more than 250 statutory local acts identified.

2. Move Toward Greater Uniformity Without Cutting Off Current Local Funding Overnight

Rather than repealing existing local fees or the amounts already charged, the Legislature should consider giving counties, sheriffs, clerks, and judges greater flexibility in how existing local surcharge revenue can be spent, so that funds already being collected can be redirected to a jurisdiction's current needs rather than being locked to a narrow purpose written into a decades-old local act (for example, a fund earmarked only for a jail construction project that has long since been completed). This achieves more practical, current-day fairness without removing funding local offices depend on.

3. Require Sunset and Review Provisions Going Forward

Any new local or statewide court cost enacted after this report should include a mandatory legislative review date — for example, every six to

eight years — at which the Legislature confirms the fee is still needed, still collected, and still serving its stated purpose. This prevents the next 40 years from producing the same undocumented patchwork the Commission found this year.

4. Study a Standing Adjustment Mechanism Tied to an Economic Index

The Legislature should study tying the statewide portion of court costs to a recognized economic index, such as the Consumer Price Index, so that funding for the Alabama Judicial Branch’s operating costs does not require a new, ad hoc legislative act each time inflation and rising operating costs erode the real value of a fee set years or decades earlier. A transparent, index-based or pre-scheduled adjustment mechanism would also reduce the need for the Legislature to revisit court cost legislation piecemeal in future sessions, including for costs directed specifically to the Alabama Judicial Branch operations.

5. Clarify What “Court Costs” Should and Should Not Fund

The Legislature may wish to consider, as a matter for further study, whether local charges that fund non-judicial branch functions such as jails, district attorneys’ offices, general county operations, law enforcement equipment — should continue to be labeled and collected as “court costs” filed alongside a lawsuit, or whether some of those functions would be more transparently and appropriately funded through a distinct local revenue mechanism separate from the courthouse filing counter. The Commission does not recommend a specific answer to this question in this report, but flags it as the single largest driver of public confusion about what a “court cost” actually is.

6. Recognize the Limits of Criminal-Side Court Costs as a Funding Source

Because criminal court costs and fees are collected at only 15 to 20 percent, the Legislature should be cautious about relying on new or increased criminal-side assessments as an economically feasible,

dependable funding source for court operations or other programs. Civil filing fees, which are collected close to 100 percent of the time, are the more reliable base for any future statewide funding adjustments the Legislature may consider for the Alabama Judicial Branch.

7. Preserve, Rather Than Foreclose, the Legislature's Ability to Fund Core Judicial Operations

Given the Alabama Judicial Branch's unified judicial structure — in which the Administrative Office of Courts centrally funds statewide personnel, training, payroll, purchasing, and information technology for the entire court system — the Commission recommends that any future reform preserve the Legislature's ability to direct a share of statewide court costs specifically to the operation of the Alabama Judicial Branch itself. As the Commission's data shows, the state-level court cost that funds the Alabama Judicial Branch's Unified Judicial System operations is a comparatively modest piece of a much larger local patchwork. Reform aimed at reducing that local patchwork's inconsistency should not be read as a reason to also constrain the far smaller, and comparatively well-justified, statewide component that funds the Alabama Judicial Branch's own core court operations.

Appendix A: Representative Local Court Cost Detail, by County

Section VI.C summarizes local court costs statewide by category and total county count. This appendix shows what that detail actually looks like inside three counties from the high-charge sample and three from the low-charge sample discussed in Section VI.E, with the underlying Code of Alabama or Act citation for each fee. This is a representative sample, not the complete dataset — the Commission's full working spreadsheet documents well over 250 individual local acts and is available on request from the Administrative Office of Courts.

Baldwin County (10 local charges identified)

Code Section	What It Does	Original Act	Amount
Ala. Code §45-2-80	General per-case fee (all circuit/district/municipal cases except parking)	Act 2000-379 (2000)	\$2 / case
Ala. Code §45-2-80.20	Cases judge designates as domestic violence	Act 98-578 (1998)	\$25 / case
Ala. Code §45-2-80.60	Jail incarceration fee, assessed by the sheriff	Acts 97-541, 97-664, 2013-234	Up to \$20/day, capped at \$1,000
Ala. Code §45-2-80.81–82	General per-case fee, circuit/district civil, criminal, juvenile, appeals	1956 (as amended through 2014)	\$15 / case
Ala. Code §45-2-231.90	Sheriff Service of Process Serving Fund	Acts 2009-615, 2012-329, 2022-172	\$30 / document served

Baldwin County also imposes local fees under §45-2-80.40, §45-2-80.110, §45-2-80.130, §45-2-81.46, and §45-2-220.02, not shown above, covering juvenile supervision, pretrial intervention, and an additional discretionary county-commission surcharge.

Madison County (6 local charges identified)

Code Section	What It Does	Original Act	Amount
Ala. Code §45-45-82	Child Protection Fund surcharge, District Court	Acts 1990–2004 (5 amendments)	\$4 / District Court case
Ala. Code §45-45-82.01	District attorney's fee (all courts)	Acts 2007-471; 2011-608	= Fair Trial Tax Fund docket fee

Code Section	What It Does	Original Act	Amount
Ala. Code §45-45-82.02	Juror parking fee	Acts 1980–2005 (6 amendments)	\$5 / case
Ala. Code §45-45-82.28	Madison County Law Library fee	Act 91-336 (1991)	\$4 criminal / \$2 civil / \$1 municipal
Ala. Code §45-45-82.52	Madison County Preservation of Justice Act surcharge; intended to preserve DA and judicial branch staffing levels	Act 2004-262	\$25–\$200 depending on case type and court

Cleburne County (10 local charges identified)

Code Section	What It Does	Original Act	Amount
§45-15-80 (Act 79-654)	General per-case fee, split among named recipients	1979	\$3 / case
§45-15-80.06 (Act 98-241)	County general fund surcharge (excludes small claims)	1998	\$10 / case
§45-15-80.07 (Act 99-536)	Discretionary commission surcharge, civil/criminal/traffic	1999	Up to \$30 / case
§45-15-80.10 (Act 2012-321)	Domestic relations surcharge (clerk retains \$3 admin fee)	2012	\$25 / DR case
§45-15-80.08 (Act 2009-493)	Solicitor's (docket) fee	2009	\$21, equal to Fair Trial Tax Fund fee

Cleburne County also imposes fees under §45-15-80.02, §45-15-80.03, §45-15-80.09, and §45-15-80.11, not shown above, covering drug case surcharges, per-conviction fees, and a traffic-case surcharge.

Bullock County (1 local charge identified)

Code Section	What It Does	Original Act	Amount
Ala. Code §45-6-81	Single local act covering civil, criminal, and traffic	Act 95-659 (1995)	\$25 civil / \$50 criminal-

Code Section	What It Does	Original Act	Amount
	cases; funds salaries, supplies, and equipment		traffic / up to \$5 per service

Montgomery County (1 local charge identified)

Code Section	What It Does	Original Act	Amount
Ala. Code §45-51-81	Booking fee assessed only against convicted defendants who were incarcerated in the county detention facility	Act 2011-586	\$20 per qualifying conviction

Sumter County (1 local charge identified)

Code Section	What It Does	Original Act	Amount
Act 1980-40	Single local act covering civil, criminal, and small claims cases	1980	\$5 civil/criminal (district & circuit); \$2 small claims

The contrast is instructive: Baldwin, Madison, and Cleburne each layer five to ten separate local fees onto a single filing, each created by a different act in a different year for a different named recipient, while Bullock, Montgomery, and Sumter each rely on a single, comparatively simple local charge. Both approaches are lawful under existing local constitutional authority; the difference in complexity is purely a function of how many separate local acts a given county's legislative delegation has passed over the past four decades.

Appendix B: Peer State Comparison — Supporting Detail

Section VII summarizes how ten states structure civil filing fees. This appendix provides the underlying jurisdiction-level detail and sources Commission member Steve Nicholas compiled in support of that summary.

State	Selected Local Detail	Source
Texas	District court civil filing: \$137 state-consolidated + local component; justice courts (small claims-equivalent): \$21 state + \$33 local	Texas Office of Court Administration fee schedules, txcourts.gov
Louisiana	Orleans Parish: \$509.50 to file (incl. \$25 building fee); Caddo Parish: \$300 flat; Ouachita Parish: \$300 plus page-based recording fees (\$105–\$305+)	Individual parish clerk of court fee schedules
Mississippi	Lauderdale County: \$162 civil complaint; Harrison County: \$166 + \$36 recording; Wayne County: \$313 complaint	County circuit/chancery clerk fee schedules
Georgia	Superior Court: \$218 civil filing + \$58 post-judgment; Magistrate Court: \$61 civil filing	Georgia Council of Superior Court Clerks (gaclerks.org)
Florida	Orange, Escambia, Broward, Miami-Dade, Polk, Hillsborough Counties: \$55–\$401, tiered by claim amount, essentially consistent statewide	Individual county clerk of court fee schedules
Kentucky	Fayette County: \$218–\$223; Kenton County: \$198 circuit / \$110.50 district; Boone County: \$221 circuit / \$83.50–\$118.50 district	Kentucky Court of Justice county fee pages (kycourts.gov)
Tennessee	Statewide schedule by case category, e.g., general civil: \$275 (2026) → \$300 (2027) → \$325 (2028); divorce with minor children: \$250 → \$275 → \$300	2025 Tenn. HB 487; Tenn. Code Ann. §8-21-401
Virginia	Fairfax, Alexandria, Chesterfield, Arlington, Prince William, Albemarle Counties: \$82–\$351 tiered by damages claimed, nearly identical across counties	Virginia court system and individual circuit court fee schedules
South Carolina	\$150 for any new case statewide; \$10–\$200 for specific proceeding types (foreign judgments, license reinstatement, etc.)	South Carolina Judicial Branch, sccourts.org
North Carolina	Magistrate's Court \$96; District Court \$150; Superior Court \$200; divorce filing \$75, applied uniformly statewide	North Carolina Judicial Branch civil costs schedule, nccourts.gov

Note the range within Louisiana and Mississippi in particular: because neither state sets a statewide floor, the fee for filing the identical type of case can differ by several hundred dollars depending solely

on which parish or county the case is filed in — a more extreme version of the same problem the Commission identified in Alabama's local add-on layer.

Appendix C: Civil and Domestic Relations Filing Fees by County

The table below shows the total filing fee (statewide portion plus local add-on) for each county, for four common case types: a standard circuit civil filing under \$50,000, a circuit civil filing over \$50,000, an original domestic relations filing, and a domestic relations modification or enforcement filing. The statewide-only average across all 68 jurisdictions is \$274.24 / \$374.24 / \$221.38 / \$324.38 respectively for these four categories.

County	Civil <\$50K	Civil >\$50K	DR Original	DR Mod/Enforce
Jefferson County	\$251.00	\$351.00	\$199.00	\$302.00
Mobile County	\$260.00	\$360.00	\$208.00	\$311.00
Montgomery County	\$246.00	\$346.00	\$194.00	\$297.00
Autauga County	\$296.00	\$396.00	\$244.00	\$347.00
Baldwin County	\$279.00	\$379.00	\$227.00	\$330.00
Barbour County	\$274.00	\$374.00	\$222.00	\$325.00
Bibb County	\$283.00	\$383.00	\$231.00	\$334.00
Blount County	\$286.00	\$386.00	\$234.00	\$337.00
Bullock County	\$271.00	\$371.00	\$219.00	\$322.00
Butler County	\$291.00	\$391.00	\$239.00	\$342.00
Calhoun County	\$301.00	\$401.00	\$249.00	\$352.00
Chambers County	\$299.00	\$399.00	\$247.00	\$350.00
Cherokee County	\$265.50	\$365.50	\$234.00	\$337.00
Chilton County	\$280.00	\$380.00	\$224.00	\$327.00
Choctaw County	\$249.00	\$349.00	\$197.00	\$300.00
Clarke County	\$301.00	\$401.00	\$249.00	\$352.00
Clay County	\$300.00	\$400.00	\$248.00	\$351.00
Cleburne County	\$297.00	\$397.00	\$245.00	\$348.00
Coffee County	\$284.00	\$384.00	\$232.00	\$335.00
Colbert County	\$253.00	\$353.00	\$201.00	\$304.00
Conecuh County	\$286.00	\$386.00	\$234.00	\$337.00
Coosa County	\$332.00	\$432.00	\$280.00	\$383.00
Covington County	\$247.00	\$347.00	\$195.00	\$298.00
Crenshaw County	\$283.00	\$383.00	\$231.00	\$334.00

County	Civil <\$50K	Civil >\$50K	DR Original	DR Mod/Enforce
Cullman County	\$276.00	\$376.00	\$224.00	\$327.00
Dale County	\$297.00	\$397.00	\$245.00	\$348.00
Dallas County	\$255.00	\$355.00	\$203.00	\$306.00
DeKalb County	\$317.50	\$417.50	\$265.50	\$368.50
Elmore County	\$284.00	\$384.00	\$232.00	\$335.00
Escambia County	\$274.00	\$374.00	\$222.00	\$325.00
Etowah County	\$246.00	\$346.00	\$194.00	\$297.00
Fayette County	\$251.00	\$351.00	\$199.00	\$302.00
Franklin County	\$246.00	\$346.00	\$194.00	\$297.00
Geneva County	\$286.00	\$386.00	\$234.00	\$337.00
Greene County	\$296.00	\$396.00	\$244.00	\$347.00
Hale County	\$296.00	\$396.00	\$244.00	\$347.00
Henry County	\$271.00	\$371.00	\$219.00	\$322.00
Houston County	\$266.00	\$366.00	\$214.00	\$317.00
Jackson County	\$421.00	\$521.00	\$289.00	\$392.00
Lamar County	\$251.00	\$351.00	\$199.00	\$302.00
Lauderdale County	\$248.00	\$348.00	\$196.00	\$299.00
Lawrence County	\$285.00	\$385.00	\$233.00	\$336.00
Lee County	\$349.00	\$449.00	\$297.00	\$400.00
Limestone County	\$281.00	\$381.00	\$229.00	\$332.00
Lowndes County	\$246.00	\$346.00	\$194.00	\$297.00
Macon County	\$278.00	\$378.00	\$226.00	\$329.00
Madison County	\$426.00	\$526.00	\$324.00	\$427.00
Marengo County	\$246.00	\$346.00	\$194.00	\$297.00
Marion County	\$244.00	\$344.00	\$192.00	\$295.00
Marshall County	\$254.00	\$354.00	\$202.00	\$305.00
Monroe County	\$266.00	\$366.00	\$214.00	\$317.00
Morgan County	\$258.00	\$358.00	\$206.00	\$309.00
Perry County	\$306.00	\$406.00	\$254.00	\$357.00
Pickens County	\$286.00	\$386.00	\$234.00	\$337.00

County	Civil <\$50K	Civil >\$50K	DR Original	DR Mod/Enforce
Pike County	\$282.00	\$382.00	\$230.00	\$333.00
Randolph County	\$274.00	\$374.00	\$222.00	\$325.00
Russell County	\$279.00	\$379.00	\$227.00	\$330.00
St. Clair County	\$246.00	\$346.00	\$194.00	\$297.00
Shelby County	\$302.00	\$402.00	\$280.00	\$383.00
Sumter County	\$246.00	\$346.00	\$194.00	\$297.00
Talladega County	\$310.00	\$410.00	\$258.00	\$361.00
Tallapoosa County	\$246.00	\$346.00	\$194.00	\$297.00
Tuscaloosa County	\$279.00	\$379.00	\$227.00	\$330.00
Walker County	\$281.00	\$381.00	\$229.00	\$332.00
Washington County	\$256.00	\$356.00	\$204.00	\$307.00
Wilcox County	\$292.00	\$392.00	\$240.00	\$343.00
Winston County	\$276.00	\$376.00	\$224.00	\$327.00
Jefferson County (Bessemer)	\$254.00	\$354.00	\$202.00	\$305.00

