

**FAIRFAX CIRCUIT COURT**  
**CIVIL FILING INSTRUCTIONS**  
**& FEE SCHEDULE**  
EFFECTIVE JULY 1, 2011

[WWW.FAIRFAXCOUNTY.GOV/COURTS/CIRCUIT](http://WWW.FAIRFAXCOUNTY.GOV/COURTS/CIRCUIT)

**Jurisdictional Limits of Court (as of July 1, 2011)**

- **\$4,500 not to exceed \$25,000 concurrent jurisdiction with General District Court**
- **Circuit Court has sole jurisdiction when amount sought exceeds \$25,000**

**CIVIL FILING FEE BREAKDOWN**

Civil fees are assessed in accordance with specific statutes. Some fees apply to certain filings and not to others.

**Clerk's fees** range from \$1.50 - \$290.00 determined by statute and in certain cases based on amount claimed.

**Writ Tax fees** range from \$5.00 - \$25.00 determined by statute and based on amount claimed.

**Fees Collected:**

Clerk's Fees:	§ 17.1-275(A)	\$ Fee determined by statute
Courts Tech Fund	§ 17.1-132	\$10.00
Court House Maintenance Fee	§ 17.1-281	\$ 2.00
Law Library	§ 42.1-70	\$ 4.00
Legal Aid/Indigent Defense Fund	§ 17.1-278	\$10.00
Putative Father Registry	§ 63.2-1201	\$50.00
Technology Trust Fund	§ 17.1-279	\$ 5.00
Writ Tax	§ 58.1-1727	\$ Fee determined by statute

**NEW CASE FILINGS**

The original Complaint must be filed with the Civil Intake Section located on the 3<sup>rd</sup> floor of the Fairfax County Courthouse.

**Requirements:**

- **COVER SHEET**
  - One Civil Case Cover Sheet must be completed prior to the filing of a case.
    - **Types of Cover Sheets available:**
      - **Adoption**
      - **Domestic**
      - **Civil**
- **PAPER SIZE:** 8 ½ X11 – double-spaced – Rule 1:16

## CASE TYPES

### **ADOPTION:** (Please refer to Adoption Procedures Brochure)

- Adoption petitions require the following:
  - **One (1) Adoption Case Cover Sheet**
  - Original notarized petition plus two (2) additional copies
  - Endorsed Final Order to submit for Judge's signature
  - Completed VS 21 (Report of Adoption) MUST complete in Black Ink
  - Completed VS 6 form (Certification of Vital Record, if applicable) MUST completed in Black Ink
  - Any evidence, exhibits or documentation in support of the complaint, plus two (2) copies of EACH Paper/Document FILED

### **COMPLAINT:**

- Original and one (1) copy of Complaint, plus one (1) additional copy for each service, if applicable
- **One (1) Civil Case Cover Sheet**

### **DEBTOR INTERROGATORIES:** (Please refer to Debtor Interrogatories guideline)

- **Original plus two copies of the following documents:**
  - Interrogatory Summons Form (Circuit Court Form Only)
  - Affidavit
  - List of Documents if using form for Production of Documents
  - Original Levy Exemption Claim Form

### **DIVORCE:** (Please refer to the Pro Se Divorce Brochure)

- Original Complaint plus one (1) additional copy for service
- **One (1) Divorce Cover Sheet.**
- Completed VS4 form (Report of Divorce or Annulment) MUST complete in Black Ink
- Additional recording fee is required for parties resuming their maiden name
- Please refer to the fee schedule

### **GARNISHMENT:** (Please refer to the Garnishment Instruction Packet)

- Original Suggestion in Garnishment form (complete fully)
- Original Garnishment Summons form plus six (6) copies (complete fully)
- Original Garnishment Exemption Claim form plus six (6) copies (complete fully)

### **LEVY:** (Please refer to Guidelines for preparing Levy Requests)

- Original Levy Request plus five (5) additional copies
- Original Request for Exemption Claim form plus five (5) additional copies

# FAIRFAX CIRCUIT COURT

## Fee Schedule - July 1, 2011

CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
<b>Adoption - Domestic</b>	AD	\$ 91.00
<b>Adoption – Foreign</b>	AD	\$ 41.00
<b>Adoption – Establish Report of Foreign Adoption</b>	AD	\$ 86.00
<b>Administrative Appeals</b> <ul style="list-style-type: none"> <li>• ABC Board Decision</li> <li>• Administrative Employee Grievance §2.2-3004</li> <li>• Administrative Employee Grievance §15.2-1507</li> <li>• Compensation Board Decision</li> <li>• Employment Commission</li> <li>• In-State Tuition - Denial</li> </ul>	CL	\$ 86.00 \$ 0.00 \$ 86.00 \$ 0.00 \$ 86.00 \$ 86.00
<b>Aid &amp; Guidance</b>	CL	\$ 86.00
<b>Annulment</b>	CL	\$ 86.00
<b>Appeal of a Clerk’s Order</b>	CL	\$ 86.00
<b>Arbitration – Confirm Award</b>	CL	\$ 86.00
<b>Attachment</b> <ul style="list-style-type: none"> <li>• (not exceeding \$ 500.00)</li> <li>• (over \$ 500.00)</li> </ul>	CL	\$ 41.00 \$ 51.00
<b>Birth Certificate Correction - §32.1-269(F)</b>	CL	\$ 86.00
<b>Board of Zoning Decision Appeal – Writ of Certiorari</b> <ul style="list-style-type: none"> <li>• Individual</li> <li>• Locality</li> </ul>	CL CL	\$ 86.00 \$ 0.00
<b>Child Abuse/Neglect (Release Report Unfounded Complaint)</b>	CL	\$ 86.00
<b>Church/Organization (Separate Actions)</b> <ul style="list-style-type: none"> <li>• Trustee Appointment</li> <li>• Convey/Encumber/Sale</li> </ul>	CL CL	\$ 31.00 \$ 31.00
<b>Civil Contempt</b>	CL	\$ 86.00
<b>Complaint – Equity</b>	CL	\$ 86.00
<b>Complaint – Legal Cause of Action</b> <ul style="list-style-type: none"> <li>• No Monetary Damages</li> <li>• (\$0.00 - \$49,999)</li> <li>• (\$50,000)</li> <li>• (\$50,001 - \$100,000)</li> <li>• (\$100,001 - \$500,000)</li> <li>• (\$500,001 &amp; above)</li> </ul>	CL	\$ 86.00 \$ 126.00 \$ 226.00 \$ 236.00 \$ 296.00 \$ 346.00

CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
<b>Compromise Settlement – (No Pending Action)</b> <ul style="list-style-type: none"> <li>• (\$0.00 - \$50,000)</li> <li>• (\$50,001 - \$100,000)</li> <li>• (\$100,001 - &amp; above)</li> </ul>	CL	\$ 70.00 \$ 80.00 \$ 90.00
<b>Condemnation Litigation – Eminent Domain Suit</b> By Commonwealth By Locality – Board of Supervisors By Electric Authority, Sanitary District, etc	CL	\$ 0.00 \$ 0.00 \$ 51.00
<b>Determination of Just Compensation By Landowner</b> §33.1-132; 25.1-318	CL	\$ 31.00
<b>Eminent Domain</b> for all other types – Drawdown, Certificate of Take/Deposit, Agreed upon settlement, etc.		
<b>By Commonwealth</b> <ul style="list-style-type: none"> <li>• Certificate of Take or Deposit §33.1-120</li> <li>• Agreed upon Settlement w/ Landowner</li> <li>• Drawdown by Landowner §33.1-124</li> <li>• Amendment of Revision of Certificate §33.1-125</li> </ul>		\$ 0.00 \$ 7.00 \$ 7.00 \$ 7.00
<b>By Locality – Board of Supervisors</b> <ul style="list-style-type: none"> <li>• Certificate of Take or Deposit §25.1-305</li> <li>• Agreed upon Settlement w/ Landowner</li> <li>• Drawdown by Landowner §25.1-310; 15.2-1904</li> <li>• Amendment of Revision of Certificate §25.1-312; 15.2-1904</li> </ul>		\$ 0.00 \$ 0.00 \$ 12.00 \$ 0.00
<b>By Electric Authority, Sanitary District, etc</b> <ul style="list-style-type: none"> <li>• Certificate of Take or Deposit §25.1-305</li> <li>• Agreed upon Settlement w/ Landowner</li> <li>• Drawdown by Landowner §25.1-310- Petition &amp; Order</li> <li>• Amendment of Revision of Certificate §25.1-312</li> </ul>		\$ 26.00 \$ 36.00 \$ 31.00 \$ 31.00
<b>Confession of Judgment</b> <ul style="list-style-type: none"> <li>• (\$0.00 - \$49,999)</li> <li>• (\$50,000)</li> <li>• (\$50,001 - \$100,000)</li> <li>• (\$100,001 - \$500,000)</li> <li>• (\$500,001 &amp; above)</li> </ul>	CL	\$ 136.00 \$ 236.00 \$ 246.00 \$ 306.00 \$ 356.00
<b>Contract – Damage &amp; Performance / Money Damage</b> <ul style="list-style-type: none"> <li>• (\$0.00 - \$49,999)</li> <li>• (\$50,000)</li> <li>• (\$50,001 - \$100,000)</li> <li>• (\$100,001 - \$500,000)</li> <li>• (\$500,001 &amp; above)</li> </ul>	CL	\$ 126.00 \$ 226.00 \$ 236.00 \$ 296.00 \$ 346.00
<b>Conservator of the Peace</b>	CL	\$ 41.00
<b>Counter-Claim (no writ tax)</b> <b>No fee for Annulment, Divorce, Separate Maintenance counterclaims</b> <ul style="list-style-type: none"> <li>• No Monetary Damages</li> <li>• (\$0.00 - \$49,999)</li> <li>• (\$50,000 - \$100,000)</li> <li>• (\$100,001 - \$500,000)</li> <li>• (\$500,001 &amp; above)</li> </ul>	CL	\$ 81.00 \$ 121.00 \$ 221.00 \$ 271.00 \$ 321.00
<b>Court Satisfaction of Judgment</b>	CL	\$ 86.00

CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
<b>Concealed Weapon Permit (CWP) Application</b> <ul style="list-style-type: none"> <li>New / Renewal</li> <li>Duplicate / Address Change</li> <li>Lost / Stolen</li> </ul>	CL	\$ 50.00 \$ 10.00 \$ 5.00
<b>Custodial Account – VA Uniform Transfer to Minors Act §31-54</b>	CL	\$ 86.00
<b>Debtor Interrogatories</b> <ul style="list-style-type: none"> <li>w/ Sheriffs execution &amp; service \$18.50 + 12.00 = \$30.50</li> <li>Private Process Server</li> </ul>	CL	\$ 30.50 \$ 6.50
<b>Declaratory Judgment</b> <ul style="list-style-type: none"> <li>No Monetary Damages</li> <li>(\$0.00 - \$49,999)</li> <li>(\$50,000)</li> <li>(\$50,001 - \$100,000)</li> <li>(\$100,001 - \$500,000)</li> <li>(\$500,001 &amp; above)</li> </ul>	CL	\$ 86.00 \$ 126.00 \$ 226.00 \$ 236.00 \$ 296.00 \$ 346.00
<b>Declaration of Death</b>	CL	\$ 86.00
<b>Detinue</b> <ul style="list-style-type: none"> <li>(\$0.000 - \$49,999)</li> <li>(\$50,000)</li> <li>(\$50,001 - \$100,000)</li> <li>(\$100,001 - \$500,000)</li> <li>(\$500,001 &amp; above)</li> </ul>	CL	\$ 126.00 \$ 226.00 \$ 236.00 \$ 296.00 \$ 346.00
<b>Discovery Before Litigation</b> <ul style="list-style-type: none"> <li>Employment</li> <li>Medical</li> </ul>	CM	\$ 36.00 \$ 36.00
<b>Divorce</b> <ul style="list-style-type: none"> <li>Divorce</li> <li>Divorce/Resume Maiden Name (includes recording fee)</li> </ul>	CL	\$ 86.00 \$ 107.00
<b>Driving Privileges – Restore / Reinstate / Restricted</b> <ul style="list-style-type: none"> <li>Reinstate Drivers License – non payment of judgment §46.2-427</li> <li>Restore Driving Privilege or Restricted License pursuant to the Habitual Offender &amp; Third Offense statues</li> <li>Petition for Restricted – OL suspended for failure to pay fines/costs §46.2-395(E)</li> <li>Petition for Restricted – for conviction for unauthorized driving §46.2-301</li> </ul>	CL CL CL CL	\$ 86.00 \$ 86.00 \$ 86.00 \$ 86.00
<b>Ejectment</b> <ul style="list-style-type: none"> <li>(\$0.000 - \$49,999)</li> <li>(\$50,000)</li> <li>(\$50,001 - \$100,000)</li> <li>(\$100,001- \$500,000)</li> <li>(\$500,001 &amp; above)</li> </ul>	CL	\$ 126.00 \$ 226.00 \$ 236.00 \$ 296.00 \$ 346.00

CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
<b>Erroneous Assessment Correction</b> <ul style="list-style-type: none"> <li>• (\$0.00 - \$49,999)</li> <li>• (\$50,000)</li> <li>• (\$50,001 - \$100,000)</li> <li>• (\$100,001 - \$500,000)</li> <li>• (\$500,001 &amp; above)</li> </ul>	CL	\$ 126.00 \$ 226.00 \$ 236.00 \$ 296.00 \$ 346.00
<b>Establish Birth Record, Property Line or Residency</b>	CL	\$ 86.00
<b>Expungement</b>	CL	\$ 86.00
<b>Fiduciary/Estate Complaints</b> <ul style="list-style-type: none"> <li>• Aid &amp; Direction</li> <li>• Construe Will / Contested Will</li> <li>• Declaration of Death</li> <li>• Establish/Impeach a Will</li> <li>• Reformation of Trust</li> <li>• Remove Personal Representative/Trustee</li> <li>• Other Complaints relating to Fiduciary/Estates</li> </ul> <p><b>Note:</b> If a Fiduciary matter has been opened the FI case number should be included as party of the CL petition. The two cases will be associated together in the case management system.</p>	CL	\$ 86.00
<b>Foreign Subpoena</b> <ul style="list-style-type: none"> <li>• With/out Production</li> <li>• With Production</li> </ul>	CM	\$ 31.00 \$ 36.00
<b>Forfeitures (Information/Seizure by Commonwealth)</b>	CL	\$ 0.00
<b>Freedom of Information</b>	CL	\$ 86.00
<b>Garnishment Summons –</b> Includes Sheriff Execution/Sheriff Service fees on garnishee & 1 debtor. <ul style="list-style-type: none"> <li>• (0.00 - \$500.00)</li> <li>• (\$501.00 &amp; above)</li> </ul> <b>Garnishment Summons – Private Process</b> <ul style="list-style-type: none"> <li>• (0.00 - \$500.00)</li> <li>• (\$501.00 &amp; above)</li> </ul>	CL	\$ 73.50 \$ 83.50 \$ 37.50 \$ 47.50
<b>GDC Appeal</b> <ul style="list-style-type: none"> <li>• Civil/Small Claims/Vehicle Impoundment-Confiscation</li> <li>• Involuntary Commitment</li> <li>• Removal to Circuit Court</li> </ul>	CL	\$ 126.00 \$ 0.00 \$ 126.00
<b>Guardian/Conservator–Adult</b> (Additional recording fees may be required) <ul style="list-style-type: none"> <li>• Appointment</li> <li>• Restore/Modify/Terminate or Standby Appointment</li> <li>• Reinstate on docket</li> <li>• Transfer Order from another State (Guardianship/Conservatorship)</li> <li>• Register Order from another state (Non-Monetary Foreign Judgment)</li> </ul>	CL CL CM	\$ 20.00 \$ 15.00 \$ 10.00 \$ 86.00 \$ 20.00
<b>Guardian – Minor</b> <ul style="list-style-type: none"> <li>• Guardian – Over the person or property (if court order required)</li> <li>• Guardian – To Expend from Estate §31-8.1</li> </ul>	CL	\$ 86.00 \$ 31.00

CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
<b>Injunction</b>	CL	\$ 86.00
<b>Interpleader</b>	CL	\$ 86.00
<b>JDR Appeal</b> <ul style="list-style-type: none"> <li>• Custody/Visitation</li> <li>• Non-criminal; non custody/visitation</li> <li>• Termination of Parental Rights</li> </ul>	JA	\$ 86.00 \$ 0.00 \$ 0.00
<b>Judicial Review</b> <ul style="list-style-type: none"> <li>• DMV Revocation/Suspension of OL</li> <li>• School Board Decision RE: Pupil</li> <li>• Other</li> </ul>	CL	\$ 86.00 \$ 86.00 \$ 86.00
<b>Judgment Lien –Bill to Enforce</b> <ul style="list-style-type: none"> <li>• (\$0.00 - \$50,000)</li> <li>• (\$50,001 - \$100,000)</li> <li>• (\$100,001 &amp; above)</li> </ul>	CL	\$ 86.00 \$ 96.00 \$ 106.00
<b>Marriage Celebrant Petition</b>	CM	\$ 31.00
<b>Marriage License Correction</b> <ul style="list-style-type: none"> <li>• Vital Record Correction §32.1-269(F)</li> </ul>	CL	\$ 86.00
<b>Mechanics/Vendors Lien Enforce/Release</b> <ul style="list-style-type: none"> <li>• (\$0.00 - \$50,000)</li> <li>• (\$50,001 - \$100,000)</li> <li>• (\$100,001 &amp; above)</li> </ul>	CL	\$ 86.00 \$ 96.00 \$ 106.00
<b>Name Change</b>	CL	\$ 41.00
<b>Partition Suit</b>	CL	\$ 86.00
<b>Performance Contract</b>	CL	\$ 86.00
<b>Quiet Title</b>	CL	\$ 86.00
<b>Reaffirmation of Marriage</b>	CL	\$ 86.00
<b>Referendum Elections</b>	CL	\$ 81.00
<b>Reformation of Trust</b>	CL	\$ 86.00
<b>Release Deed of Trust</b>	CL	\$ 86.00
<b>Relief from Legal Determination of Paternity</b>	CL	\$ 86.00
<b>Removal from GDC to Circuit Court</b>	CL	\$ 86.00
<b>Restore Right to Possess a Firearm</b>	CL	\$ 86.00
<b>Restore Maiden Name (recording fee)</b>	CL	\$ 21.00
<b>Separate Maintenance</b>	CL	\$ 86.00
<b>Sex Offender</b> <ul style="list-style-type: none"> <li>• Registry - Relief from Registration</li> <li>• Petition to Enter onto School Property</li> </ul>	CL	\$ 86.00 \$ 86.00

CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
<b>Special Elections</b> <ul style="list-style-type: none"> <li>• By Constitutional Officer</li> <li>• By Locality</li> </ul>	CL	\$ 86.00 \$ 0.00
<b>Third Party Complaint</b> <ul style="list-style-type: none"> <li>• Equity</li> <li>• No Monetary Damages</li> <li>• (\$0.00 - \$49,999)</li> <li>• (\$50,000)</li> <li>• (\$50,001 - \$100,000)</li> <li>• (\$100,001 - \$500,000)</li> <li>• (\$500,001 &amp; above)</li> </ul>	CL	\$ 86.00 \$ 86.00 \$ 126.00 \$ 226.00 \$ 236.00 \$ 296.00 \$ 346.00
<b>Transfer from another State</b> <ul style="list-style-type: none"> <li>• Guardianship/Conservatorship</li> <li>• Protective Order</li> </ul>	CL	\$ 86.00 \$ 86.00
<b>Trust – Impress or Declare a Trust</b>	CL	\$ 86.00
<b>Vital Record Correction</b> <ul style="list-style-type: none"> <li>• Birth Certificate or Marriage License</li> </ul>	CL	\$ 86.00
<b>Voter Rights</b> <ul style="list-style-type: none"> <li>• Approval of Right to be Eligible to Register to Vote</li> <li>• Restoration of Voting Rights</li> <li>• Voter Registration Denial Appeal</li> </ul>	CL	\$ 31.00 \$ 86.00 \$ 10.00
<b>Workers Compensation Lien (ascertain amount) §65.2-310 &amp; 65.2-311</b>	CL	\$ 86.00
<b>Writs:</b> <ul style="list-style-type: none"> <li>• Habeas Corpus</li> <li>• Mandamus</li> <li>• Prohibition</li> <li>• Quo Warrant – Person</li> <li>• Certiorari Writ (Zoning Appeals <b>SEE</b> Board of Zoning Appeals fee)</li> <li>• Coram Nobis</li> <li>• Coram Vobis</li> </ul>	CL	\$ 36.00 \$ 86.00 \$ 86.00 \$ 86.00 \$ 0.00 \$ 86.00 \$ 86.00

## MISCELLANEOUS FEES (July 1, 2011)

TYPE OF FILING	FEE	CODE SECTION
<b>Appeal to Court of Appeals</b> <b>Appeal to Supreme Court</b>	\$ 32.00 \$ 32.00	§ 17.1-275A (32)
<b>Bond Preparation</b>	\$ 3.00	§ 17.1-275A (6)
<b>Concealed Weapon Permit</b> <ul style="list-style-type: none"> <li>• Duplicate /Address Change</li> </ul>	\$ 5.00	§ 17.1-275A (18)
<b>Document – Copy/Certification</b> <ul style="list-style-type: none"> <li>• Copy</li> <li>• Certification</li> <li>• Triple Seal</li> </ul>	\$ 0.50 per page \$ 2.00 per document \$ 2.50	§ 17.1-275A (8) § 17.1-275A (9) § 17.1-275A (9)
<b>Income Deduction Order</b>	\$ 12.00 Sheriff Service \$ 5.00 Certified Mail Fee	
<b>Foreign Judgment (Uniform Enforcement Act)</b> <ul style="list-style-type: none"> <li>• Registration of non-monetary foreign order</li> <li>• Registration of Guardianship / Conservator Protective Order from another state</li> </ul>	\$ 20.00 \$ 20.00	§ 8.01-465.1 § 37.2-1048 § 37.2-1049 § 37.2-1050
<b>Judgment Fees</b>	Refer to Land Records Fee Schedule	
<b>Land Records Recording Fees</b>	Refer to Land Records Fee Schedule	
<b>Levy/Seizure – Includes Sheriff Service on One (1) Debtor</b>	\$ 26.50	
<b>Mailings:</b> <ul style="list-style-type: none"> <li>• Certified Mail</li> <li>• Registered Mail</li> </ul>	\$ 5.00 \$ 10.00	§ 26-7.2 § 1-15.1
<b>Notice of Lien / Writ of Fieri Facias</b>	\$ 1.50 Clerks Execution Fee \$ 12.00 Sheriffs Process Fee	§ 17.1-275A(44) § 17.1-272(A)
<b>Reinstate/Reopen</b>	\$ 31.00	
<b>Restricted License Forms</b> <ul style="list-style-type: none"> <li>• Amendment or Duplication</li> </ul>	\$ 10.00	§ 17.1-275A (18)
<b>Service Fees</b> <ul style="list-style-type: none"> <li>• DMV</li> <li>• Secretary of Commonwealth</li> <li>• State Corporation Commission</li> </ul>	\$ 28.00 \$ 28.00 \$ 30.00	§ 8.01-310 § 2.1-71.2 § 12.1-9 (g)
<b>Sheriff Fees – Process &amp; Service</b> <ul style="list-style-type: none"> <li>• General Service</li> </ul> <b>Execution Fees for the Following:</b> <ul style="list-style-type: none"> <li>• Levy upon current money, bank notes, goods or chattels of a judgment debtor</li> <li>• Levying a Distress or an attachment</li> <li>• Levying an execution</li> <li>• Service of Declaration in Ejectment on any person, firm or corporation</li> <li>• Writ of Possession</li> </ul>	\$ 12.00 \$ 25.00 \$ 12.00 for each additional defendant	§ 17.1-272 (A) § 17.1-272 (B)
<b>Subpoena</b> <ul style="list-style-type: none"> <li>• Witness</li> <li>• Production Rule 4:9 (C)</li> <li>• Attorney Issued Rule 4:9 C (2)</li> </ul>	\$ 12.00 \$ 5.00 Service fee if applicable No Clerks Fee required on Production	§ 17.1-272 § 17.1-275 A (23) § 8.01-407