

FAIRFAX CIRCUIT COURT

CIVIL FILING INSTRUCTIONS & FEE SCHEDULE

EFFECTIVE JULY 1, 2020

<https://www.fairfaxcounty.gov/circuit/>

Jurisdictional Limits of Court

- \$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
Credit Card Convenience Fee	§ 17.1-275(27)	4%
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 3rd 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 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)
- Envelope addressed to Debtor

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, 2019

CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
Adoption - Domestic	AD	\$ 91.00
Adoption – Foreign	AD	\$ 41.00
Adoption – Establish Report of Foreign Adoption	AD	\$ 86.00
Administrative Appeals <ul style="list-style-type: none"> • ABC Board Decision • Administrative Employee Grievance §2.2-3004 • Administrative Employee Grievance §15.2-1507 • Compensation Board Decision • Employment Commission • In-State Tuition - Denial 	CL	\$ 86.00 \$ 0.00 \$ 86.00 \$ 0.00 \$ 86.00 \$ 86.00
Aid & Guidance	CL	\$ 86.00
Annulment	CL	\$ 86.00
Appeal of a Clerk’s Order	CL	\$ 86.00
Arbitration – Confirm Award	CL	\$ 86.00
Attachment <ul style="list-style-type: none"> • (not exceeding \$ 500.00) • (over \$ 500.00) 	CL	\$ 41.00 \$ 51.00
Birth Certificate Correction - §32.1-269(F)	CL	\$ 86.00
Board of Zoning Decision Appeal – Writ of Certiorari <ul style="list-style-type: none"> • Individual • Locality/Governing Body 	CL CL	\$ 86.00 \$ 0.00
Child Abuse/Neglect (Release Report Unfounded Complaint)	CL	\$ 86.00
Church/Organization (Separate Actions) <ul style="list-style-type: none"> • Trustee Appointment • Convey/Encumber/Sale 	CL CL	\$ 31.00 \$ 31.00
Civil Contempt	CL	\$ 86.00
Complaint – Equity	CL	\$ 86.00
Complaint – Legal Cause of Action <ul style="list-style-type: none"> • No Monetary Damages • (\$0.01 - \$49,999) • (\$49,999.01 - \$100,000) • (\$100,000.01- \$500,000) • (\$500,000.01 & above) 	CL	\$ 86.00 \$ 126.00 \$ 236.00 \$ 296.00 \$ 346.00

CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
Compromise Settlement – (No Pending Action) <ul style="list-style-type: none"> • (\$0.00 - \$49,999.00) • (\$50,000.01 - \$100,000) • (\$100,000.01 -& above) 	CL	\$ 70.00 \$ 80.00 \$ 90.00
Condemnation Litigation – Eminent Domain Suit By Commonwealth By Locality – Board of Supervisors By Electric Authority, Sanitary District, etc Determination of Just Compensation By Landowner §33.1-132; 25.1-318 <u>Eminent Domain</u> for all other types – Drawdown, Certificate of Take/Deposit, Agreed upon settlement, etc. By Commonwealth <ul style="list-style-type: none"> • Certificate of Take or Deposit §33.1-120 • Agreed upon Settlement w/ Landowner • Drawdown by Landowner §33.1-124 • Amendment of Revision of Certificate §33.1-125 By Locality – Board of Supervisors <ul style="list-style-type: none"> • Certificate of Take or Deposit §25.1-305 • Agreed upon Settlement w/ Landowner • Drawdown by Landowner §25.1-310; 15.2-1904 • Amendment of Revision of Certificate §25.1-312; 15.2-1904 By Electric Authority, Sanitary District, etc <ul style="list-style-type: none"> • Certificate of Take or Deposit §25.1-305 • Agreed upon Settlement w/ Landowner • Drawdown by Landowner §25.1-310- Petition & Order • Amendment of Revision of Certificate §25.1-312 	CL CL	\$ 0.00 \$ 0.00 \$ 51.00 \$ 31.00 \$ 0.00 \$ 7.00 \$ 7.00 \$ 7.00 \$ 0.00 \$ 0.00 \$ 12.00 \$ 0.00 \$ 26.00 \$ 36.00 \$ 31.00 \$ 31.00
Confession of Judgment <ul style="list-style-type: none"> • (\$0.00 - \$49,999) • (\$49,999.01 - \$100,000) • (\$100,000.01 - \$500,000) • (\$500,000.01 & above) 	CL	\$ 136.00 \$ 246.00 \$ 306.00 \$ 356.00
Contract – Damage & Performance / Money Damage <ul style="list-style-type: none"> • (\$0.00 - \$49,999) • (\$49,999.01 - \$100,000) • (\$100,000.01 - \$500,000) • (\$500,000.01 & above) 	CL	\$ 126.00 \$ 236.00 \$ 296.00 \$ 346.00
Conservator of the Peace *If bond required, Clerk collects fee (\$3 bond fee)	CL	\$ 41.00
Counter-Claim (no writ tax) No fee for Annulment, Divorce, Separate Maintenance counterclaims <ul style="list-style-type: none"> • No Monetary Damages • (\$0.00 - \$49,999) • (\$50,000 - \$100,000) • (\$100,001 - \$500,000) • (\$500,001 & above) 	CL	\$ 81.00 \$ 121.00 \$ 221.00 \$ 271.00 \$ 321.00
Court Satisfaction of Judgment	CL	\$ 86.00

CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
Concealed Weapon Permit (CWP) Application <ul style="list-style-type: none"> New / Renewal Duplicate / Address Change Lost / Stolen Legal Change of Name 	CL	\$ 50.00 \$ 10.00 \$ 5.00 \$ 5.00
Custodial Account – VA Uniform Transfer to Minors Act §31-54	CL	\$ 86.00
Debtor Interrogatories <ul style="list-style-type: none"> w/ Sheriffs execution & service \$18.50 + 12.00 = \$30.50 Private Process Server 	CL	\$ 30.50 \$ 6.50
Declaratory Judgment <ul style="list-style-type: none"> No Monetary Damages (\$0.01 - \$49,999) (\$49,999.01 - \$100,000) (\$100,000.01 - \$500,000) (\$500,000.01 & above) 	CL	\$ 86.00 \$ 126.00 \$ 236.00 \$ 296.00 \$ 346.00
Declaration of Death	CL	\$ 86.00
Detinue <ul style="list-style-type: none"> (\$0.000 - \$49,999) (\$49,999.01 - \$100,000) (\$100,000.01 - \$500,000) (\$500,000.01 & above) 	CL	\$ 126.00 \$ 236.00 \$ 296.00 \$ 346.00
Discovery Before Litigation <ul style="list-style-type: none"> Employment Medical 	CM	\$ 36.00 \$ 36.00
Divorce <ul style="list-style-type: none"> Divorce Divorce/Resume Maiden Name §§ 17.1-275 A(2), 17.1-279, 58.1-817 (Includes Recording Fees) 	CL	\$ 86.00 \$ 108.00
Driving Privileges – Restore / Reinstate / Restricted <ul style="list-style-type: none"> Reinstate Drivers License – non payment of judgment §46.2-427 Restore Driving Privilege or Restricted License pursuant to the Habitual Offender & Third Offense statutes Petition for Restricted – OL suspended for failure to pay fines/costs §46.2-395(E) Petition for Restricted – for conviction for unauthorized driving §46.2-301 	CL CL CL CL	\$ 86.00 \$ 86.00 \$ 86.00 \$ 86.00
Exhumation <ul style="list-style-type: none"> Medical Examiner – Report of Investigation Commonwealth – Petition Asking for Notice 	CM CM	\$ 0.00 \$ 0.00

<ul style="list-style-type: none"> Petition Filed for Exhumation 	CL	\$ 86.00
<ul style="list-style-type: none"> Petition Filed for DNA/biological relationship 	CL	\$ 86.00
Ejectment <ul style="list-style-type: none"> (\$0.000 - \$49,999) (\$49,999.01 - \$100,000) (\$100,000.01- \$500,000) (\$500,000.01 & above) 	CL	\$ 126.00 \$ 236.00 \$ 296.00 \$ 346.00
CIVIL CASE FILING TYPE		
CASE TYPE		FILING FEE
Erroneous Assessment Correction <ul style="list-style-type: none"> (\$0.00 - \$49,999) (\$49,999.01 - \$100,000) (\$100,000.01 - \$500,000) (\$500,000.01 & above) 	CL	\$ 126.00 \$ 236.00 \$ 296.00 \$ 346.00
Establish Birth Record, Property Line or Residency	CL	\$ 86.00
Expungement	CL	\$ 86.00
Fiduciary/Estate Complaints <ul style="list-style-type: none"> Aid & Direction Construe Will / Contested Will Declaration of Death Establish/Impeach a Will Reformation of Trust Remove Personal Representative/Trustee Other Complaints relating to Fiduciary/Estates <p>Note: 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
Foreign Subpoena <ul style="list-style-type: none"> With/out Production With Production 	CM	\$ 31.00 \$ 36.00
Forfeitures (Information/Seizure by Commonwealth)	CL	\$ 0.00
Freedom of Information	CL	\$ 86.00
Garnishment Summons – Includes Sheriff Execution/Sheriff Service fees on garnishee & 1 debtor. <ul style="list-style-type: none"> (0.00 - \$500.00) (\$501.00 & above) Garnishment Summons – Private Process <ul style="list-style-type: none"> (0.00 - \$500.00) (\$501.00 & above) 	CL	\$ 73.50 \$ 83.50 \$ 37.50 \$ 47.50
GDC Appeal <ul style="list-style-type: none"> Civil/Small Claims/Vehicle Impoundment-Confiscation Involuntary Commitment Removal to Circuit Court 	CL	\$ 126.00 \$ 0.00 \$ 126.00

Guardian/Conservator–Adult (Additional recording fees may be required) <ul style="list-style-type: none"> • Appointment • Restore/Modify/Terminate or Standby Appointment • Reinstate on docket • Transfer Order from another State (Guardianship/Conservatorship) • Register Order from another state (Non-Monetary Foreign Judgment) 	CL CL CM	\$ 20.00 \$ 15.00 \$ 10.00 \$ 86.00 \$ 20.00
Guardian – Minor <ul style="list-style-type: none"> • Guardian – Over the person or property (if court order required) • Guardian – To Expend from Estate §31-8.1 	CL	\$ 86.00 \$ 31.00
CIVIL CASE FILING TYPE		
Injunction	CL	\$ 86.00
Interpleader	CL	\$ 86.00
JDR Appeal <ul style="list-style-type: none"> • Custody/Visitation • Non-criminal; non custody/visitation • Termination of Parental Rights 	JA	\$ 86.00 \$ 0.00 \$ 0.00
Judicial Review <ul style="list-style-type: none"> • DMV Revocation/Suspension of OL • School Board Decision RE: Pupil • Other 	CL	\$ 86.00 \$ 86.00 \$ 86.00
Judgment Lien –Bill to Enforce <ul style="list-style-type: none"> • (\$0.00 - \$49,999) • (\$49,999.01 - \$100,000) • (\$100,001 & above) 	CL	\$ 86.00 \$ 96.00 \$ 106.00
Marriage Celebrant Petition (Religious) Marriage Celebrant Petition (Civil Celebrant)	CM	\$ 31.00 \$ 56.00
Marriage License Correction <ul style="list-style-type: none"> • Vital Record Correction §32.1-269(F) 	CL	\$ 86.00
Mechanics/Vendors Lien Enforce/Release <ul style="list-style-type: none"> • (\$0.00 - \$50,000) *If bond required, Clerk collects fee (\$3 bond fee) • (\$50,001 - \$100,000) *If bond required, Clerk collects fee (\$3 bond fee) • (\$100,001 & above) *If bond required, Clerk collects fee (\$3 bond fee) 	CL	\$ 86.00 \$ 96.00 \$ 106.00
Name Change	CL	\$ 41.00
Partition Suit	CL	\$ 86.00
Performance Contract	CL	\$ 86.00
Quiet Title	CL	\$ 86.00
Reaffirmation of Marriage	CL	\$ 86.00
Referendum Elections	CL	\$ 81.00
Reformation of Trust	CL	\$ 86.00
Release Deed of Trust	CL	\$ 86.00

Relief from Legal Determination of Paternity	CL	\$ 86.00
Removal from GDC to Circuit Court	CL	\$ 86.00
Restore Right to Possess a Firearm	CL	\$ 86.00
Separate Maintenance	CL	\$ 86.00
Sex Offender <ul style="list-style-type: none"> • Registry - Relief from Registration • Petition to Enter onto School Property 	CL	\$ 86.00 \$ 86.00
CIVIL CASE FILING TYPE	CASE TYPE	FILING FEE
Special Elections <ul style="list-style-type: none"> • By Constitutional Officer • By Locality 	CL	\$ 86.00 \$ 0.00
Third Party Complaint <ul style="list-style-type: none"> • Equity • No Monetary Damages • (\$0.00 - \$49,999) • (\$49,999.01 - \$100,000) • (\$100,000.01 - \$500,000) • (\$500,000.01 & above) 	CL	\$ 86.00 \$ 86.00 \$ 126.00 \$ 236.00 \$ 296.00 \$ 346.00
Transfer from another State <ul style="list-style-type: none"> • Guardianship/Conservatorship • Protective Order 	CL	\$ 86.00 \$ 86.00
Trust – Impress or Declare a Trust	CL	\$ 86.00
Vital Record Correction <ul style="list-style-type: none"> • Birth Certificate or Marriage License 	CL	\$ 86.00
Voter Rights <ul style="list-style-type: none"> • Approval of Right to be Eligible to Register to Vote / Restoration of Voting Rights • Voter Registration Denial Appeal 	CL	\$ 86.00 \$ 10.00
Workers Compensation Lien (ascertain amount) §65.2-310 & 65.2-311	CL	\$ 86.00
Writs: <ul style="list-style-type: none"> • Habeas Corpus • Mandamus • Prohibition • Quo Warrant – Person • PETITION - Certiorari Writ (Zoning Appeals SEE Board of Zoning Appeals fee) • Coram Nobis • Coram Vobis 	CL	\$ 36.00 \$ 86.00 \$ 86.00 \$ 86.00 \$ 0.00 \$ 86.00 \$ 86.00

MISCELLANEOUS FEES (July 1, 2016)

TYPE OF FILING	FEE	CODE SECTION
Appeal to Court of Appeals	\$ 32.00	§ 17.1-275A (32)

Appeal to Supreme Court	\$ 32.00	
Bad Check Fee	\$ 50.00	§ 17.1-275 (28)
Bond Preparation	\$ 3.00	§ 17.1-275A (6)
Concealed Weapon Permit • Duplicate /Address Change	\$ 5.00	§ 17.1-275A (18)
Document – Copy/Certification • Copy • Certification • Triple Seal	\$ 0.50 per page \$ 2.00 per document \$ 2.50	§ 17.1-275A (8) § 17.1-275A (9) § 17.1-275A (9)
Income Deduction Order	\$ 12.00 Sheriff Service \$ 5.00 Certified Mail Fee	
Foreign Judgment (Uniform Enforcement Act) • Registration of non-monetary foreign order • Registration of Guardianship / Conservator Protective Order from another state	\$ 20.00 \$ 20.00	§ 8.01-465.1 § 37.2-1048 § 37.2-1049 § 37.2-1050
Judgment Fees	Refer to Land Records Fee Schedule	
Land Records Recording Fees	Refer to Land Records Fee Schedule	
Levy/Seizure – Includes Sheriff Service on One (1) Debtor	\$ 26.50	
Mailings: • Certified Mail • Registered Mail	\$ 5.00 \$ 10.00	§ 64.2-1420 § 1-206
Notice of Lien / Writ of Fieri Facias	\$ 1.50 Clerks Execution Fee \$ 12.00 Sheriffs Process Fee	§ 17.1-275A(44) § 17.1-272(A)
Reinstate/Reopen	\$ 31.00	
Restricted License Forms • Amendment or Duplication	\$ 10.00	§ 17.1-275A (18)
Service Fees • DMV • Secretary of Commonwealth • State Corporation Commission	\$ 28.00 \$ 28.00 \$ 30.00	§ 8.01-310 § 2.1-71.2 § 12.1-9 (g)
Sheriff Fees – Process & Service • General Service Execution Fees for the Following: • Levy upon current money, bank notes, goods or chattels of a judgment debtor • Levying a Distress or an attachment • Levying an execution • Service of Declaration in Ejectment on any person, firm or corporation • Writ of Possession	\$ 12.00 \$ 25.00 \$ 12.00 for each additional defendant	§ 17.1-272 (A) § 17.1-272 (B)
Subpoena • Witness • Production Rule 4:9 (C) • Attorney Issued Rule 4:9 C (2)	\$ 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