



## Michigan Supreme Court

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Milton L. Mack, Jr.  
State Court Administrator

### MEMORANDUM

DATE: March 30, 2016

TO: Judges  
cc: Court Administrators  
Probate Registers  
County Clerks  
Case Management System Vendors

FROM: Milton L. Mack, Jr.

SUBJECT: Electronic Filing System Fee and Transmitting Funds to Treasury Process

Effective January 1, 2016, 2015 Public Acts 230, 231, 232, 233, 234, and 235 amended the Revised Judicature Act by adding Chapter 19A, electronic access to courts, and adding section 176, creating the judicial electronic filing fund (JEFF). **This memorandum summarizes the electronic filing system (EFS) fee and process for transmitting funds to Treasury for deposit in the JEFF. Please note that Treasury cannot receive JEFF funds at this time.**

#### **Transmitting Funds to Treasury**

2015 PA 232 (MCL 600.1989) provides that the EFS fees collected by a court shall be remitted to the state treasurer to be deposited in the JEFF. The Treasury account number for the JEFF (MCL 600.176) is 228.56. However, Treasury has not yet revised the Fee Transmittals for State of Michigan Courts (Treasury forms [57](#) and [295](#)) and cannot receive or accept JEFF revenue at this time. Courts must hold all EFS fees collected until such time as Treasury has revised the forms and is able to receive and accept the fees for deposit into the JEFF. Do **not** modify the current transmittal forms to force remittance of the funds. Treasury will reject all modified transmittals, return the transmittal and payment, and ask for resubmission of the transmittal without the JEFF revenue.

We will notify you as soon as the revised Treasury forms are available. Once the forms are revised, courts will remit all EFS fees collected to Treasury for deposit in the JEFF. For

March 30, 2016

Page 2

example, if the revised forms are available in April, all EFS fees collected in March and April will be remitted to Treasury on the April transmittal, which is due by May 20, 2016.

### **Electronic Filing System (EFS) Fee**

Beginning March 1, 2016, 2015 PA 231 (MCL 600.1986) requires courts to collect an EFS fee in addition to the filing fees for commencing a civil action. The EFS fees are:

- \$25 for civil actions filed in the Supreme Court, Court of Appeals, circuit court, probate court, and court of claims.
- \$10 for civil actions filed in the district court, including summary proceedings actions.
- \$20 for civil actions filed in the district court if a claim for money damages is joined with a claim for relief other than money damages.
- \$5 for civil actions filed in the small claims division of the district court.

The EFS fee is paid by the party who files the civil action regardless of whether or not the civil action is filed electronically. If the court waives the party's filing fee because the court determines that the party is indigent or unable to pay the fee, the court shall also waive the EFS fee. A party that is a governmental entity is not required to pay the EFS fee.

In 2015 PA 230 (MCL 600.1985), a civil action is defined as an action that is not a criminal case, a civil infraction action, a proceeding commenced in the probate court under MCL 700.3982, or a proceeding involving a juvenile under MCL 712A.1 to 712A.32.

You will find additional information in the January 4, 2016, [Frequently Asked Questions](#) memorandum, the February 18, 2016, [Electronic Filing Legislation](#) memorandum, and the February 29, 2016, [Electronic Filing System Fee Resource](#) memorandum.

If you have any questions regarding the legislation, please contact Trial Court Services at [TrialCourtServices@courts.mi.gov](mailto:TrialCourtServices@courts.mi.gov) or 517-373-7496.

If you have any questions regarding the Treasury transmittal process, please contact Beth Barber at [BarberB@courts.mi.gov](mailto:BarberB@courts.mi.gov) or 517-373-5895.