



Michigan Supreme Court

State Court Administrative Office

Trial Court Services Division

Michigan Hall of Justice

P.O. Box 30048

Lansing, Michigan 48909

Phone (517) 373-4835

Jennifer Warner
Director

MEMORANDUM

DATE: September 8, 2017

TO: County Clerks
Probate Registers
District Court Clerks

cc: All Court Administrators

FROM: Stephanie Beyersdorf, Management Analyst

RE: Electronic Filing System Fee Reminder

The State Legislature passed historic legislation enabling the funding of a statewide electronic filing system in 2015. This legislation included the establishment of the electronic filing system (EFS) fee, which courts began collecting March 1, 2016. Some courts have indicated that it would be helpful if SCAO published a brief review of instances when the EFS fee should and should not be collected.

The EFS fee is required to be paid at the commencement of each civil action for which a filing fee is required. It is assessed once per case at its initiation and is not assessed again at any point during the duration of the case. Some examples of when the EFS should not be collected include:

- Transferring a case to another court.
- Appealing a case to a higher court.
- Filing of a non-case action (e.g. out-of-state discovery subpoena, investigative subpoena, non-party contempt hearing, secret marriage application, or will for safekeeping).
- Filing of a civil action by a government agency or department (e.g. domestic case filed by the prosecuting attorney or other government department).
- Any filing of a case where a fee waiver is automatic or granted by a judge.

[SCAO Administrative Memorandum 2016-02](#) provides a detailed list of fee assessments by case type and court. Questions may be directed to Trial Court Services at trialcourtservices@courts.mi.gov.