

# GEORGIA COUNCIL OF PROBATE COURT JUDGES

## Schedule of Costs and Fees

**Effective May 13, 2010**

### NOTES AND EXPLANATIONS

1. All sums the court is required to collect under Code Sections 15-23-7 (ADR fees), 15-9-60.1 (Children's Trust Fund fees), 15-21A-6 (Indigent Defense fees), and 36-15-9 (Law Library fees), and any other sums required by law to be collected as add-ons or additions to court costs are **in addition to the sums below**. See Code Sections 15-9-60(b) and 15-21A-6.

2. The costs set forth below are **exclusive** of costs for service of process, fees for publication of citation or notice, and any additional sums as may be provided by law. The cost of service by certified or registered mail or statutory overnight delivery for purposes of service is a cost of service. Likewise, the cost of first-class postage when service is sent in such manner in accordance with law is a cost of service of process. These charges may be added to the court costs if not paid directly by the petitioner.

3. Fees for guardians-ad-litem, court-appointed attorneys, and court-appointed evaluators, when collected by the court, are **in addition to** the above court costs; otherwise, such fees are payable directly to the person providing the service.

4. Except where specifically provided, **recording charges** are in **addition to** the other court costs.

	<b>Code Section 15-9-60</b>	<b>Type of Proceeding, Pleading, Document, Service or Action</b>	<b>GPCS F No.,</b>	<b>Cost (Initial Filing)</b>	<b>Cost (Subs. Filing)</b>	<b>" Full Service Fee</b>	<b>Subject to Indigent Defense Fee of</b>	<b>Subject to other add-</b>
<b>Decedent's Estates</b>								
1	<b>(e)(1)-(4)</b>	Petition for Temporary Letters of Administration	GPCSF 2	\$ 130.00	\$ 75.00	*	<b>No</b>	<b>Y</b>
2	"	Petition for Letters of Administration	GPCSF 3	\$ 130.00	\$ 75.00	*	<b>Yes</b>	<b>Y</b>
3	"	Petition to Probate Will in Common Form	GPCSF 4	\$ 130.00	\$ 75.00	*	<b>No</b>	<b>Y</b>
4	"	Petition to Probate Will in Solemn Form	GPCSF 5	\$ 130.00	\$ 75.00	*	<b>Yes</b>	<b>Y</b>
5	"	Petition for Order Declaring No Administration Necessary	GPCSF 9	\$ 130.00	\$ 75.00	*	<b>Yes</b>	<b>Y</b>
6	"	Petition to Probate Will in Solemn Form and for Letters of Administration with Will Annexed	GPCSF 7	\$ 130.00	\$ 75.00	*	<b>Yes</b>	<b>Y</b>
8	<b>(e)(1)-(4)</b>	Petition for Year's Support	GPCSF 10	\$ 130.00	\$ 75.00	*	<b>Yes</b>	<b>Y</b>
7	<b>(e)(5)</b>	Petition for Letters of Administration with Will Annexed (Will Previously Probated)	GPCSF 8	\$ 50.00	\$ 50.00	*	<b>Yes</b>	<b>Y</b>
<b>NOTE: Except for Temp. Letters of Admin. and Probate in Common Form, the Indigent Defense fee of \$15 is charged on EACH above-described petition filed, even if multiple petitions are filed in a single case. See O.C.G.A. §15-21A-6(b)(1)(A).</b>								
9	<b>(e)(1)-(4)</b>	Petition for Presumption of Death of Missing Individual Believed to be Dead	GPCSF 18	\$ 130.00	\$ 75.00	*	<b>No</b>	<b>Y</b>
10	"	Any proceeding for ancillary admin. by a foreign personal representative	No form	\$ 130.00		*	<b>No</b>	<b>Y</b>
11	"	Any other proceeding by which the jurisdiction of the court is first invoked concerning a decedent's estate	No form	\$ 130.00		*	<b>No</b>	<b>Y</b>

12	<b>(e)(5)</b>	Petition of Personal Representative for Leave to Sell Property	GPCSF 13		\$ 50.00	*	No	Y
13	"	Petition for Leave to Sell Perishable Property by Personal Representative	GPCSF 71		\$ 50.00	*	No	Y
14	"	Petition for Leave to Sell or Encumber Property Previously Set Aside as Year's Support	GPCSF 17		\$ 50.00	*	No	Y
15	"	Petition by Administrator for Waiver of Bond and/or Grant of Certain Powers	GPCSF 32		\$ 50.00	*	No	Y
16	"	Petition for Discharge	GPCSF 33		\$ 50.00	*	No	Y
17	"	Petition for Approval of Division in Kind	No form		\$ 50.00	*	No	Y
18	"	Petition to Determine Heirs	No form		\$ 50.00	*	No	Y
19	"	Petition for Direction under Will	No form		\$ 50.00	*	No	Y
20	"	Petition of Personal Representative to Compromise a Disputed Claim or Debt	No form		\$ 50.00	*	No	Y
21	"	Petition by or against personal representative for an accounting or final settlement	No form		\$ 50.00	*	No	Y
22	"	Petition to Resign as Personal Representative and for Appointment of a Successor	No form		\$ 50.00	*	No	Y
23	"	Petition to Remove a Personal Representative and for Appointment of a Successor	No form		\$ 50.00	*	No	Y
24	"	Citation against a personal representative for failure to make returns or for alleged mismanagement of estate	No form		\$ 50.00	*	No	Yes, unless issued by court
25	"	Caveat, objection or other responsive pleading filed by person to whom notice or citation issued	No form		\$ 50.00	*	No	Y
26	"	Petition or Motion to intervene as Interested Party	No form		\$ 50.00	*	No	Y
27	"	Any other petition, application, motion or other pleading in an estate for which no cost is set	No form		\$ 50.00	*	No	Y
28	<b>(e)(6)</b>	Petition to Change Accounting Period	No form		\$ 25.00	*	No	Y
29	"	Petition to Enter Safe-Deposit Box	No form		\$ 25.00	*	No	Y
30	"	Petition/Motion for Attorney's Fees	No form		\$ 25.00	*	No	Y
31	"	Petition/Motion for Extra Compensation	No form		\$ 25.00	*	No	Y
32	"	Inventory, Appraisement, or Annual, Intermediate or Final Return	No form		\$ 25.00	*	No	Y
33	<b>(e)(7)</b>	Notice of Claim or Claim of Creditor	No form		\$ 10.00	*	No	N
34	"	Declination to Serve as Personal Representative	No form		\$ 10.00	*	No	N
35	"	Renunciation of Right of Succession	No form		\$ 10.00	*	No	N

<b>Minor Guardianships/Conservatorships</b>								
<b>NOTE: In ALL minor guardianship/conservatorship cases, the Indigent Defense fee of \$15.00 is charged ONE TIME ONLY on the first proceeding by which the jurisdiction of the probate court is first invoked with regard to a named minor. In the list below, "FF" denotes the proceedings to which the fee may apply. See O.C.G.A. §15-21A-6(b)(1)(B).</b>								
1	(f)(1)	Petition for Temporary letters of Guardianship of the person of Minor	GPCSF 28	\$ 75.00		*	FF	Y
2	"	Petition for Letters of Guardianship of Minor	GPCSF 29	\$ 75.00		*	FF	Y
3	"	Petition for Letters of Conservatorship of Minor	GPCSF 30	\$ 75.00		*	FF	Y
4	"	Petition for Receipt and Acceptance of Foreign Guardianship and/or Conservatorship	GPCSF 60	\$ 75.00		*	FF	Y
5	"	Any other proceeding by which the jurisdiction of the court is first invoked with regard to the person and/or property of a minor	No form	\$ 75.00		*	FF	Y
6	"	Petition of Conservator for Final Settlement of Accounts and Discharge from Office and Liability	GPCSF 34	\$ 75.00		*	No	Y
7	(f)(2)	Petition of Conservator for Leave to Sell, Rent, Lease or Otherwise Dispose of Property	GPCSF 14		\$ 70.00	*	No	Y
8	"	Petition to Compromise Doubtful Claim of Minor/Ward	GPCSF 19		\$ 70.00	*	FF	Y
9	"	Petition for Leave to Encroach on Corpus	GPCSF 20		\$ 30.00	*	No	Y
10	"	Petition to Change Accounting Period	No form		\$ 25.00	*	No	Y
11	"	Minor Conservatorship Inventory and Asset Management Plan	No form		\$ 30.00	*	No	N
12	"	Annual, Intermediate or Final Return of Conservator	No form		\$ 30.00	*	No	N
13	"	Petition or motion for attorney's fees	No form		\$ 70.00	*	No	N
14	"	Petition to Terminate Temporary Guardianship of Minor	No form		\$ 30.00	*	No	N
15	"	Any other petition, application, motion or other pleading filed regarding an existing guardianship of a minor	No form		\$ 30.00	*	No	N
<b>Adult Guardianships/Conservatorships</b>								
<b>NOTE: In ALL adult guardianship/conservatorship cases, the Indigent Defense fee of \$15.00 is charged ONE TIME ONLY on the first proceeding by which the jurisdiction of the probate court is first invoked with regard to a named adult. In the list below, "FF" denotes the proceedings to which the fee may apply. See O.C.G.A. §15-21A-6(b)(1)(C).</b>								
1	(g)(1)	Petition for the Appointment of an Emergency Guardian and/or Conservator for a Proposed Ward	GPCSF 11	\$ 150.00		*	FF	Y
2	"	Petition for the Appointment of a Guardian and/or Conservator for a Proposed Ward	GPCSF 12	\$ 150.00		*	FF	Y
3	"	Petition for Receipt and Acceptance of Foreign Guardianship and/or Conservatorship	GPCSF 60	\$ 150.00		*	FF	Y
4	"	Any other proceeding by which the jurisdiction of the probate court is first invoked with regard to an adult alleged to be incapacitated	No form	\$ 150.00		*	FF	Y

5	<b>(g)(2)</b>	Petition of Conservator for Leave to Sell, Rent, Lease or Otherwise Dispose of Property	GPCSF 14		\$ 70.00	*	No	Y
6	"	Petition to Compromise Doubtful Claim of Minor/Ward	GPCSF 19		\$ 70.00	*	No	Y
7	"	Petition for Leave to Encroach on Corpus	GPCSF 20		\$ 30.00	*	No	Y
8	"	Petition to Change Accounting Period	No form		\$ 25.00	*	No	Y
9	"	Adult Conservatorship Inventory and Asset Management Plan	GPCSF 58		\$ 30.00	*	No	N
10	"	Annual, Intermediate or Final Return	No form		\$ 30.00	*	No	N
11	"	Petition or motion for attorney's fees	No form		\$ 70.00	*	No	Y
12	"	Petition for the Restoration of an Individual Found to be in Need of a Guardian and/or Conservator	GPCSF 65		\$ 70.00	*	No	Y
13	"	Petition of Conservator for Final Settlement of Accounts and Discharge from Office and Liability	GPCSF 34	\$ 75.00		*	No	Y
14	"	Any other petition, application, motion or pleading filed regarding an existing guardianship of an adult	No form		\$ 70.00	*	No	Y
<b>Other Actions</b>								
1	<b>(f)</b>	In matters involving Sterilization, Involuntary Treatment, Habilitation or Temporary Placement, through entry of final order	No form	\$ 130.00		*	No	Y
2	<b>(i)</b>	Hearings in contested matters, per half day		\$ 30.00			No	N
3	"	Initial hearings in adult guardianship or matters involving sterilization, involuntary treatment, habilitation or involuntary placement		No Fee			No	N
4	"	Hearing in any uncontested matter		No Fee			No	N
5	<b>(i)</b>	Petition to Establish Custodial Account for Minor or Incapacitated Adult	GPCSG 22	8% of fund		*	No	Y
6	<b>(k)(i)-(vii)</b>	Application for W rit of Habeas Corpus	No form	\$ 75.00			Yes	Y
7	"	Petition to Establish lost papers	No form	\$ 50.00			No	Y
8	"	Petition for or declaration of Exemptions		\$ 25.00			No	Y
9	"	Petition to Change Birth Certificate	No form	\$ 75.00			No	Y
10	"	All other services rendered by the judge or clerk through the entry of the final order, for any application or petition by which the jurisdiction of probate court is invoked and no other cost is set forth	No form	\$ 70.00		*	No	Y
11	"	Issuance of all other orders, including a Rule Nisi, in any matter for which the costs already set forth do not include all services rendered by judge or clerk	No form		\$ 30.00		No	N
12	"	Motions, Amendments or other pleadings in any matter for which the costs do not include all services rendered by judge or clerk and no other cost is set forth	No form		\$ 15.00		No	N

<b>Miscellaneous</b>							
1	(k)(ix)- (xxx)	For processing appeals to superior court	No form	\$ 30.00	\$ 30.00	No	N
2	"	For issuance of writ of fieri facias	No form	\$ 10.00	\$ 10.00	No	N
3	"	For issuance of permit to discharge explosives				No	N
4	"	For issuance of permit to discharge fireworks	No form	\$ 30.00	\$ 30.00	No	N
5	"	Application for firearms license	Uniform Application	\$ 30.00*	\$ 30.00	No	N
		Renewal of firearms license	Uniform Application	\$ 35.00	\$ 35.00	No	N
6	"	For issuance of a replacement firearms license	No form	\$ 6.00	\$ 6.00	No	N
7	"	Application for Marriage License without Premarital Certificate	Uniform Application	\$ 40.00	\$ 40.00	No	N
8	"	For the safekeeping of a will	No form	\$ 15.00	\$ 15.00	No	N
9	"	For issuance of a veteran's license	No form	No Fee	No Fee	No	N
10	"	For issuance of a peddler's license	No form	\$ 15.00	\$ 15.00	No	N
11	"	For issuance of a certificate of residency	No form	\$ 10.00	\$ 10.00	No	N
12	"	Registration of a junk dealer	No form	\$ 10.00	\$ 10.00	No	N
13	"	Certification of publication of application for insurance company charter	No form	\$ 10.00	\$ 10.00	No	N
14	"	Recording of Marks and Brands, each	No form	\$ 15.00	\$ 15.00	No	N
15	"	Exemplification		\$ 15.00	\$ 15.00	No	N
16	"	Certification under seal of copies		\$ 10.00	\$ 10.00	No	N
17	"	Certified copies of Letters of personal representative, temporary administrator, guardian or conservator, each		\$ 10.00	\$ 10.00	No	N
18	"	For issuance of a subpoena, each		\$ 10.00	\$ 10.00	No	N
19	"	For filing and recording of oath or bond of any official, officer or employee of any municipality or authority within the county, each		\$ 10.00	\$ 10.00	No	N
20	"	For filing and recording of oath or bond of county official or officer		No Fee	No Fee	No	N
21	"	For examination of records or files by employee of the probate court to provide abstract of information contained therein or to provide copies therefrom, per estate or name		\$ 10.00	\$ 10.00	No	N
22	"	Recording, per page		\$ 2.00	\$ 2.00	No	N
23	"	Copies, per page		\$ 1.00	\$ 1.00	No	N

\*Total fee is \$80.25, including application, criminal background checks by GBI/FBI and fingerprinting by CCSO