

**SOUTH DAKOTA UNIFIED JUDICIAL SYSTEM**  
**Guide to Filing Fees and Court Costs charged under SDCL 16-2-29, 16-2-39, 16-2-45**  
**Effective 1/27/2020**

<b>CIVIL COURT COSTS</b>	<b>Filing Fee</b>		<b>Court Automation Surcharge</b>		<b>Law Library Fee</b>		<b>Postage</b>		<b>Total Court Costs</b>
Divorce	\$50.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$95.00
Child Support Modification	\$50.00	+	\$0.00	+	\$0.00	+	\$0.00	=	\$50.00
Civil Cases filed for Jury or Court Trial	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Default Judgments	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Default with Garnishment	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Dissolution of Corporation	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Foreclosure	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Quiet Title	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Appeals from an Administrative Agency	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Adoptions	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Name Change	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00

Secretary of State (Optional)                      \$30.00 - To South Dakota Secretary of State when a claim is filed against a Corporation  
Division of Insurance (Optional)                      \$10.00 - To State Division of Insurance when a claim is filed against an Insurance Company

*\*Please review SDCL 15-6-4(d) regarding personal service of summons\**

**Small Claims**

Claims for \$.01 - \$100.00	\$4.00	+	\$6.00	+	\$2.00	+	\$7.50	=	\$19.50
Claims for \$100.01 - \$1,000.00	\$10.00	+	\$6.00	+	\$2.00	+	\$7.50	=	\$25.50
Claims for \$1,001.00 - \$3,999.99	\$20.00	+	\$6.00	+	\$2.00	+	\$7.50	=	\$35.50
Claims for \$4,000.00 - \$12,000.00	\$20.00	+	\$8.00	+	\$2.00	+	\$7.50	=	\$37.50
Certified Mail for Each Additional Party (Required on all Counterclaims)	\$7.50	+	\$0.00	+	\$0.00	+	\$0.00	=	\$7.50
Subpoena's	\$2.00	+	\$0.00	+	\$0.00	+	\$0.00	=	\$2.00

Secretary of State (Optional)                      \$30.00 - To South Dakota Secretary of State when a claim is filed against a Corporation  
Division of Insurance (Optional)                      \$10.00 - To State Division of Insurance when a claim is filed against an Insurance Company

Raising Small Claims to Civil Court                      \$35.00 - This occurs when a Small Claims Case is raised to Civil Court  
Bond posted by Defendant                      \$250.00 - A bond is required when raising a Small Claims Case to Civil Court

**Probate**

Estate (Probate of Wills)	\$75.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$120.00
Summary Disposition	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Termination	\$25.00	+	\$40.00	+	\$5.00	=	\$0.00	=	\$70.00
Special Administrations	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Determination of Inheritance Tax	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Guardianships (includes all subsequent papers)	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Trust	\$25.00	+	\$40.00	+	\$5.00	+	\$0.00	=	\$70.00
Safekeeping and Filing of Wills	\$2.00	+	\$0.00	+	\$0.00	+	\$0.00	=	\$2.00
Sale of Property	\$0.00	+	\$0.00	+	\$0.00	+	\$0.00	=	No Charge

**Issuing the following documents:**

**Total Fee**

Execution	\$5.00
Special Execution	\$5.00
Writ of Execution or Commission	\$5.00
Filing and/or Docketing a Transcript of Judgment	\$10.00

**Supreme Court of Appeals**

To Clerk of Circuit Court	\$50.00 - Filing Fee
To Clerk of Supreme Court	\$50.00 - Filing Fee + \$50.00 Court Automation Surcharge = \$100.00

CRIMINAL COURT COSTS	Liquidated Costs		Court Automation Surcharge		Victim's Compensation Surcharge		Total Court Costs
All Felonies	\$40.00	+	\$61.50	+	\$5.00	=	\$106.50
All Class 1 Misdemeanors	\$40.00	+	\$41.50	+	\$5.00	=	\$86.50
Class 2 Misdemeanors (Violation of State Law)	\$40.00	+	\$23.50	+	\$5.00	=	\$68.50
All Violations of County or Municipal Ordinances	\$40.00	+	\$17.50	+	\$5.00	=	\$62.50
All Violations of Administrative Rules with Criminal Penalties	\$40.00	+	\$17.50	+	\$5.00	=	\$62.50

Petty Offenses No Court Costs, but fines will be assessed

*\*According to SDCL 25-10-1, effective July 1, 2011, any person convicted of a crime involving domestic violence or domestic abuse, the court shall order additional court costs of \$25.00 to be paid to the Clerk of Courts\**

*\*According to SDCL 23A-28B-42, effective July 1, 2018, there shall be levied a crime victims' compensation surcharge on each Class 2 misdemeanor, Class 1 misdemeanor, or felony conviction of five dollars.*

*\*According to SDCL 32-23-4.10, effective July 1, 2015 any person convicted of a crime for a violation of § 32-23-1 to remit costs in the amount of fifty dollars to the clerk of courts.*

MISCELLANEOUS (Criminal & Civil)	Total Fee
Record Searches	\$20.00
Authenticated Copies	\$2.00
Certified Copies	\$2.00
Standard Copies	\$0.20
CourtSmart CD's	\$5.00

Fax Filings (received by the Court)	\$10.00 or \$1.00 per page, whichever is greater
Sending a Fax (sent by the Court)	\$1.00 per page or \$5.00 minimum
Insufficient Funds Check	\$40.00 service charge