

-CITE-

28 USC Sec. 1913

02/01/2010

-EXPCITE-

TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE

PART V - PROCEDURE

CHAPTER 123 - FEES AND COSTS

-HEAD-

Sec. 1913. Courts of appeals

-STATUTE-

The fees and costs to be charged and collected in each court of appeals shall be prescribed from time to time by the Judicial Conference of the United States. Such fees and costs shall be reasonable and uniform in all the circuits.

-SOURCE-

(June 25, 1948, ch. 646, 62 Stat. 954.)

-MISC1-

HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., Sec. 543 (Mar. 3, 1891, ch. 517, Sec. 2, 26 Stat. 826; Feb. 19, 1897, ch. 263, 29 Stat. 536; Sept. 27, 1944, ch. 413, 58 Stat. 743).

Words "and in the United States Circuit Court of Appeals for the District of Columbia" were omitted as covered by "each court of appeals."

Judicial Conference of Senior Circuit Judges was changed to Judicial Conference "of the United States" in conformity with

section 331 of this title.

Changes were made in phraseology.

APPEALS FILED IN COURTS OF APPEALS

Pub. L. 109-171, title X, Sec. 10001(b), Feb. 8, 2006, 120 Stat. 183, provided that: "The \$250 fee for docketing **a** case on appeal or review, or docketing any other proceeding, in **a** court of appeals, as prescribed by the Judicial Conference, effective as of January 1, 2005, under section 1913 of title 28, United States Code, shall be increased to \$450."

COURT FEES FOR ELECTRONIC ACCESS TO INFORMATION

Pub. L. 102-140, title III, Sec. 303, Oct. 28, 1991, 105 Stat. 810, as amended by Pub. L. 104-317, title IV, Sec. 403(b), Oct. 19, 1996, 110 Stat. 3854; Pub. L. 107-347, title II, Sec. 205(e), Dec. 17, 2002, 116 Stat. 2915, provided that:

"**(a)** The Judicial Conference may, only to the extent necessary, prescribe reasonable fees, pursuant to sections 1913, 1914, 1926, 1930, and 1932 of title 28, United States Code, for collection by the courts under those sections for access to information available through automatic data processing equipment. These fees may distinguish between classes of persons, and shall provide for exempting persons or classes of persons from the fees, in order to avoid unreasonable burdens and to promote public access to such information. The Director of the Administrative Office of the United States Courts, under the direction of the Judicial Conference of the United States, shall prescribe **a** schedule of

reasonable fees for electronic access to information which the Director is required to maintain and make available to the public.

"(b) The Judicial Conference and the Director shall transmit each schedule of fees prescribed under paragraph (a) to the Congress at least 30 days before the schedule becomes effective. All fees hereafter collected by the Judiciary under paragraph (a) as a charge for services rendered shall be deposited as offsetting collections to the Judiciary Automation Fund pursuant to 28 U.S.C. 612(c)(1)(A) to reimburse expenses incurred in providing these services."

Similar provisions were contained in the following prior appropriation act:

Pub. L. 101-515, title IV, Sec. 404, Nov. 5, 1990, 104 Stat. 2132.