



SUPREME COURT OF GEORGIA

Atlanta May 1, 2014

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

It is hereby ordered that Rule 5 (Costs) of the Rules of the Supreme Court of the State of Georgia be amended to revise the provision for when costs are paid, as provided in OCGA § 5-6-4, as recently amended by House Bill No. 842.

The amendment shall take effect on July 1, 2014, and shall apply to filings on or after that date.

The amended Rule 5 shall read as follows:

Rule 5. Costs.

Costs are \$80 in all criminal cases and in habeas corpus cases for persons whose liberty is being restrained by virtue of a sentence imposed against them by a state court. Costs are \$300 in all other civil cases.

Costs shall be paid at the time of filing of the case in this Court except in direct appeals, where costs accrue on docketing but shall be paid at the time of filing of the appellant's brief.

Costs need not be paid again where a petition for certiorari or an application for discretionary or interlocutory appeal, for interim review, or for a certificate of probable cause has been granted. Costs are not required for certified questions, disciplinary cases, or State Bar or Office of Bar Admissions matters.

Costs shall not be required where at the time the same are due:

- (1) the applicant or appellant is pro se (not represented by counsel) and incarcerated at the time of filing;
- (2) counsel for the applicant or appellant was appointed to represent the applicant or appellant in the trial court because of indigency and, at the time costs would be due, counsel files a statement that counsel was so appointed by the trial court; or
- (3) the applicant, appellant, or counsel for the applicant or appellant files an affidavit of indigency that includes an original signature and a proper jurat.

The Clerk is prohibited from receiving or filing an application, petition for certiorari, or the appellant's brief in a direct appeal unless the costs have been paid or the provisions of (1)-(3) above have been satisfied.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I hereby certify that the above is a true extract from the minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto affixed the day and year last above written.

Theresa A. Barnes Clerk