



SUPREME COURT OF GEORGIA

Atlanta January 30, 2012

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 to the Supreme Court of Georgia, including prohibiting the Clerk from receiving or filing an application, petition for certiorari, or the appellant's brief in a direct appeal unless the requisite costs are paid or sufficient proof of indigency provided.

The amendment shall take effect on March 1, 2012, and shall apply to filings on or after that date.

The amended Rule 5 shall read as follows:

Rule 5. Costs.

Costs are \$80.00 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 \$300.00 in all other civil cases. Costs shall not be required where one of the following is filed with the Court or contained in the appellate record at the time costs would be due: (1) an affidavit of indigency by the applicant, petitioner, or appellant, (2) a statement by counsel that an affidavit of indigency has been duly filed in the record; (3) an affidavit by counsel that he or she was appointed by the trial court because of the client's indigency, or (4) an order by the trial court making such an appointment of counsel. Costs need not be paid again where a discretionary or interlocutory application, an application for interim review or for a certificate of probable cause, or a petition for certiorari has been granted. Costs are not required for certified questions, disciplinary cases, or State Bar or Office of Bar Admissions matters.

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. 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 sufficient evidence of indigency as described above is filed or contained in the appellate record.

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