

Lummi Tribal Court

Court Fee Schedule

The term “Court Fee Schedule” as used in the Lummi Code of Laws shall mean the fee schedule approved by the Lummi Indian Business Council or its designee. LCL 1.08.080.

No case shall be filed, and no summons shall be issued, without payment or waiver of the filing fee unless otherwise provided in this Code. LCL 3.03.010(c).

Criminal Cases:

Court Costs for Criminal Cases: \$50.00

Warrant Quash Fee: \$50.00 or 8 hours of community service

Additional fee for court costs for each hearing where a defendant fails to appear: \$50.00

Civil Infractions:

Civil infraction court costs for failing to appear after requesting a contested hearing: \$50.00

Civil Cases filing fee: \$50.00

Appeals:

Civil appeal filing fee: \$50.00

Criminal appeal filing fee: \$50.00

Administrative Fees: (These fees are not eligible for a fee waiver.)

File copies from archives \$5.00 per case to retrieve case file (plus \$0.10 per page after 10 pages)

Hearing Recordings placed on CD: \$5.00 per CD

File copies: \$0.10 per page after 10 pages. (See LCL 1.04.040)

Lummi Tribal Court Bar – Spokesperson’s Admission Fee: \$50.00

If an annual fee is charged: \$50.00 per year

Mileage: Where mileage reimbursement is authorized in the Lummi Tribal Code, the reimbursement rate per mile shall be the current rate paid by the LIBC per mile on the date the miles were driven.

Civil Jury Fee – Paid by the party requesting a civil jury trial: \$200.00 per day

Juror fee for each day of jury service plus mileage from home to Court according to fee schedule, LCL 4.03.010(h):

- For jurors appearing for the jury pool: \$10.00 per day
- For jurors selected to serve on the jury: \$25.00 per day
- Jury fees may be paid with a gift card.

Witness Fee for day of trial they are required to attend, plus mileage, LCL 4.05.030 (to be paid by the party who subpoenaed the witness):

- \$15.00 per day.

Fee Schedule for Contempt – LCL Chapter 4.06

Civil Contempt Penalties, Summary Process LCL 4.06.020 for persons violating LCL 4.06.010 (a), (b) or (e):

- Up to \$250.00 per violation.
- Up to \$250.00 per day if the violation is a continuing violation of resistance willfully offered by any person to the lawful order or process of the Court.

Civil Contempt Penalties, Civil Process LCL 4.06.030 for persons violating LCL 4.06.010 (c), (d), (f), or (g):

- Up to \$500.00 per violation.
- Up to \$500.00 per day if the violation is a continuing violation of willful disobedience of any process or order lawfully issued by the Court.

Default on Fine LCL 4.06.050: The Court may order imprisonment until the fine is paid, with credit towards the payment of the fine for each day served in confinement.

- Credit of \$100 per day shall be credited toward payment of fines for each day served in confinement. A “day” is defined as a 24-hour period of time.

Filing Fee Wavier

The filing fee for all civil actions shall be established in the Court Fee Schedule, which may be waived by the Court upon good cause shown. LCL 3.03.010(b). A fee waiver may be requested in a criminal appeal. LCL 2.08.050(b).

The factors the Court should consider in determining good cause for a filing fee waiver are:

- There is a presumption of good cause to waive filing fees if the person making the request for a fee waiver has as their primary source of income general assistance, or social security, or other public assistance benefits.
- There is a presumption of good cause to waive filing fees if the person making the request for a fee waiver is receiving an annual income, after taxes, of one hundred twenty-five percent or less of the current federally established poverty level. The Court may use as a guideline the current Washington State Health and Human Services Department Poverty Guidelines.

No Fee Charged to the Lummi Nation: LCL 3.03.010(b) No fee will be charged if the Lummi Nation is the plaintiff or petitioner.

No Fee Charged for an Order of Protection: LCL 5A.02.015(a)(6) No fees are required to file for an Order of Protection.

Amended 3/17/2022

No Fee for foreign order of protection: LCL 5A.07.030(b). A person may file a foreign order of protection without fee or cost.