**TECHNOLOGY FEE**

**FREQUENTLY ASKED QUESTIONS**

The 2013 Legislature has established a new $2 Technology Fee to be applied to all fees collected under M.S. 357.021, subdivision 2, clauses (1) to (13), effective July 1, 2013.  [2013 Minn. Laws, Chap. 86, Article 3, section 6.  Minn. Stat. § 357.021, subd. 2b.](https://www.revisor.mn.gov/bills/text.php?number=SF671&session_year=2013&session_number=0&version=latest) The answers to the following questions are intended to help parties, attorneys, and the general public understand when this new technology fee applies.

**FAQs – General Application**

1. When does the technology fee apply?

The $2 technology fee applies whenever a fee is charged under Minn. Stat. § [357.021](https://www.revisor.leg.state.mn.us/statutes/?id=357.021) subdivision 2, clauses (1) to (13).  (Click on the hyper link to see the fees in subdivision 2, clauses (1) to (13).)

For example, if you are a party filing your first paper in the case, the technology fee will apply when you are required to pay the filing fee under Minn. Stat. § 357.021 subd. 2 (1). If you are a party requesting a writ of execution, the technology fee will apply when you are required to pay the $55 writ fee under Minn. Stat. § 357.021 subd. 2 (5).

Note: If a party is does not have to pay the fees in Minn. Stat. § [357.021](https://www.revisor.leg.state.mn.us/statutes/?id=357.021) subdivision 2, clauses (1) to (13), the party also does not have to pay the technology fee. See the answers to Questions 3 and 4.

If you are not certain whether the technology fee applies, please ask. See the answer to Question 7.

2. When does the technology fee go into effect?

The $2 technology fee is effective on and after July 1, 2013, at 12:01 a.m. [2013 Minn. Laws, Chap. 86, Article 3, section 6](https://www.revisor.mn.gov/laws/?id=86&doctype=Chapter&year=2013&type=0); Minn. Stat. § [645.02](https://www.revisor.leg.state.mn.us/statutes/?id=645.02).

3. Do I have to pay the technology fee if I’m *in forma pauperis*?

No. If you have a current order to proceed *in forma pauperis*, you will not have to pay the technology fee in the case in which the order was granted. The case in which the order was granted must be active and the order must not be expired.

4. Do I have to pay the technology fee if I am exempt from paying fees because I am a public authority

or a party the public authority represents in a case?

If you are exempt from paying a fee under Minn. Stat. § 357.021, subd. 1a(c), you are exempt from paying the technology fee, too. Minn. Stat. § 357.021, subd. 1a(c) states:

(c) No fee is required under this section from the public authority or the party the public authority represents in an action for:

(1) child support enforcement or modification, medical assistance enforcement, or establishment of parentage in the district court, or in a proceeding under section [484.702](https://www.revisor.leg.state.mn.us/statutes?id=484.702#stat.484.702);

(2) civil commitment under chapter 253B;

(3) the appointment of a public conservator or public guardian or any other action under chapters 252A and 525;

(4) wrongfully obtaining public assistance under section [256.98](https://www.revisor.leg.state.mn.us/statutes?id=256.98#stat.256.98) or [256D.07](https://www.revisor.leg.state.mn.us/statutes?id=256D.07#stat.256D.07), or recovery of overpayments of public assistance;

(5) court relief under chapters 260, 260A, 260B, and 260C;

(6) forfeiture of property under sections [169A.63](https://www.revisor.leg.state.mn.us/statutes?id=169A.63#stat.169A.63) and [609.531](https://www.revisor.leg.state.mn.us/statutes?id=609.531#stat.609.531) to [609.5317](https://www.revisor.leg.state.mn.us/statutes?id=609.5317#stat.609.5317);

(7) recovery of amounts issued by political subdivisions or public institutions under sections [246.52](https://www.revisor.leg.state.mn.us/statutes?id=246.52#stat.246.52), [252.27](https://www.revisor.leg.state.mn.us/statutes?id=252.27#stat.252.27), [256.045](https://www.revisor.leg.state.mn.us/statutes?id=256.045#stat.256.045), [256.25](https://www.revisor.leg.state.mn.us/statutes?id=256.25#stat.256.25), [256.87](https://www.revisor.leg.state.mn.us/statutes?id=256.87#stat.256.87), [256B.042](https://www.revisor.leg.state.mn.us/statutes?id=256B.042#stat.256B.042), [256B.14](https://www.revisor.leg.state.mn.us/statutes?id=256B.14#stat.256B.14), [256B.15](https://www.revisor.leg.state.mn.us/statutes?id=256B.15#stat.256B.15), [256B.37](https://www.revisor.leg.state.mn.us/statutes?id=256B.37#stat.256B.37), [260B.331](https://www.revisor.leg.state.mn.us/statutes?id=260B.331#stat.260B.331), and [260C.331](https://www.revisor.leg.state.mn.us/statutes?id=260C.331#stat.260C.331), or other sections referring to other forms of public assistance;

(8) restitution under section [611A.04](https://www.revisor.leg.state.mn.us/statutes?id=611A.04#stat.611A.04); or

(9) actions seeking monetary relief in favor of the state pursuant to section [16D.14, subdivision 5](https://www.revisor.leg.state.mn.us/statutes?id=16D.14#stat.16D.14.5).

5. Does the technology fee apply to all court fees charged?

No. The technology fee only applies when a fee is charged under Minn. Stat. § [357.021](https://www.revisor.leg.state.mn.us/statutes/?id=357.021) subd. 2, clauses (1) to (13).  The technology fee does not apply to a fee charged under Minn. Stat. § [357.021](https://www.revisor.leg.state.mn.us/statutes/?id=357.021) subd. 2, clause (14) or (15); or to fees charged under a different statute or court rule. For example, the technology fee does not apply when:

* the conciliation court filing fee in Minn. Stat. § 357.022 is charged;
* the facsimile transmission fee in Rule 5.05 of the Minnesota Rules of Civil Procedure is to be paid; or
* paying for a copy of a court form as that fee is charged under Minn. Stat. § 357.021, subd. 2(14).

If you are not certain whether the technology fee applies, please ask. See the answer to Question 7.

6. If I’m paying multiple fees, do I need to pay multiple technology fees?

That depends on the fees being paid. If multiple fees are charged at the same time, the technology fee will apply to each applicable fee charged.    See the answer to Question 5. For example:

* If a party is charged both a civil filing fee and a jury fee, the $2 technology fee will apply to both the filing fee and the jury fee because both fees are charged under Minn. Stat. § 357.021, subd. 2(1). The party in this situation will be paying two technology fees – one for each fee charged.
* If a person requests copies of three documents filed in a court case, the $2 technology fee will apply to each copy fee charged because the copy fee for these documents is charged under Minn. Stat. § 357.021, subd. 2(2). The person in this situation will be paying three technology fees – one for each copy fee charged.
* If a party is charged the conciliation court filing fee and a copy fee for a copy of document filed in a court case, the technology fee will not apply to the conciliation court filing fee because that fee is charged under Minn. Stat. § 357.022, but it will apply to the copy fee because that fee is charged under Minn. Stat. § 357.021, subd. 2(2). The party in this situation will be paying one technology fee.

If you are not certain whether the technology fee applies, please ask. See the answer to Question 7.

7. Who do I contact if I have questions about whether the technology fee applies?

If you are using the eFile & eServe Program contact the eFile Support Center:

The Minnesota eFile and eServe Support Team

Minnesota Judicial Branch

State Court Administration

25 Rev. Dr. Martin Luther King, Jr. Blvd.

Saint Paul, MN  55155

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*● Business Hours:  Monday – Friday from 8:30 am – 4:30 pm (CST).  Closed state government holidays except Columbus Day.*

*● Email via mncourts.gov website:* [*http://www.mncourts.gov/?page=4696*](http://www.mncourts.gov/?page=4696)

*● Phone:  651-227-2002 (if calling from 612, 651, 763, or 952) or 855-291-8246 (if calling from all other area codes)*

If you not filing or making a request using the eFile & eServe Program, contact the court administrator’s office in the county in which you are filing a document or requesting a copy.

**FAQs -- Specific to MN eFile and eServe Program:**

**District Courts Currently Offering eFiling and eService: Cass. Clay, Cook, Dakota, Faribault, Hennepin, Kandiyohi, Lake, Morrison, Ramsey and Washington.**

8. Is the $2.00 technology fee a flat fee applied to each envelope in eFile & eServe?

No. The $2.00 technology fee is applied to each applicable fee collected within an envelope. See the answer to Questions 1 and 6.

9. Will the technology fee be itemized on the eFile screen?

The $2.00 technology fee will be incorporated into the actual fee to which it applies. You will not see the fee listed separately on the screen. For example, a filing fee prior to July 1 will display a fee amount of $320.00, After July 1, the fee amount will be $322.00.

10. When will I be charged the $2.00 technology fee?

The technology fee will be added when you select an applicable fee. See the answer to Question 9. The fee will be charged to your credit card when the e-filing has been accepted by court administration, just as is done with other fees.

11. Is there any difference in filing on paper instead of using the eFile & eServe system?

No, the technology fee will apply regardless of the method of filing.

1. Will the $2.00 technology fee be charged to documents filed on paper in the pilot counties?

Yes, the technology fee will be charged on all applicable fees in the pilot counties when a document is filed on paper. The technology fee will apply regardless of the method of filing.

1. Can an e-filer avoid the $2.00 technology fee by ordering a copy of a court document at the counter instead of ordering in the eFile & eServe System?

No. The $2 technology fee applies when a copy fee is charged under Minn. Stat. § 357.021, subd. 2(2). The technology fee will apply regardless of whether a person requests a copy of a court document at the counter in a court administrator’s office or orders a copy through the eFile & eServe System.

1. Will I be charged the $2.00 technology fee if I select ‘Service Only’ functionality within the eFile & eServe System?

No. As no fees charged under Minn. Stat. § [357.021](https://www.revisor.leg.state.mn.us/statutes/?id=357.021) subd. 2, clauses (1) to (13) will be selected when choosing ‘Service Only’, you will not be charged the technology fee. The technology fee does not apply to the convenience fee in Minn. Stat. § 480.237.