



ADMINISTRATIVE OFFICE OF THE COURTS

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February 15, 2018

Re: Notice to Government Entities Receiving Court Costs and Fines

To Whom It May Concern—

The North Carolina Administrative Office of the Courts (NCAOC) is sending you this notice because you have been identified as a state or local government entity that may receive court costs or fines imposed in criminal and infraction cases. Effective December 1, 2017, government entities “directly affected” by any waiver or remission of court costs and fines are entitled to notice and the opportunity to be heard, through counsel, on any such waiver or remission.¹

By this notice, you are advised that at any setting of criminal court, a court may waive or remit costs and fines. Below is a link to the NCAOC’s online criminal calendars webpage, searchable by county.

<http://www1.aoc.state.nc.us/www/calendars/Criminal.html>

If an entity chooses to send counsel to a session of criminal court, counsel shall notify the courtroom clerk that he or she is present and requests the opportunity to be heard on any waiver.

In the interest of providing both (i) an efficient mechanism for government entities to express their preferences on such waivers without appearing in court and (ii) a single resource that trial court officials may consult about each entity’s position, the NCAOC will maintain a statewide registry of entity responses generated from the form on the back of this notice. The registry will be made available online on February 16th at: <http://nccourts.org/costwaiver>

Any entity wishing to register a standing objection or a lack of objection to waivers/remissions may do so by completing the form on the back of this notice, by and through counsel for the entity, and returning it by mail or email. Entities may also note if they would like to stop receiving these notices from the NCAOC. Entities that do not waive future mailed notices will continue to receive notices monthly. Any objection or lack of objection can be rescinded and replaced at any time by subsequent submission of this form. An electronic copy of this form will be available on the same website as the registry of entity responses.

¹ See Session Law 2017-57, Sections 18B.6.(a) and (b) (<https://www.ncleg.net/EnactedLegislation/SessionLaws/HTML/2017-2018/SL2017-57.html>) for further details.

Name And Address Of Submitting Agency (type or print)

**GOVERNMENT AGENCY
STANDING RESPONSE TO WAIVER / REMISSION
OF COURT COSTS AND FINES**

G.S. 7A-304(a)

Notes to Submitting Counsel:

- Counsel should submit standing responses only for agencies or political subdivisions for which counsel has clear authority to represent the agency's interests before the trial division, and this response must identify clearly the agency(ies) on whose behalf it is submitted. *E.g.*, a standing response by counsel for a county school board should identify the county board of education clearly as the agency in interest, not merely "County X," as it is unclear whether or not such a response purports to represent the county's interests for court costs to which it might be entitled under G.S. 7A-304 that are not disbursed for the use of the schools.
- Responses should be submitted by **legal counsel for the agency, only**. To the extent this response may be considered by a court of the trial division, in order to avoid potential unauthorized practice of law by agency personnel not authorized to represent the agency before the courts, responses from non-counsel will not be included in the online registry.
- Return completed forms with ink signature via mail or email to:
 NCAOC – Office of General Counsel
 Attn: Court Cost Waiver Standing Response
 PO Box 2448
 Raleigh, NC 27602
 Email Address:
 Waiver.Response@nccourts.org
- Agencies may change their standing response at any time by submission of a subsequent response form, by and through appropriate counsel. A registry of current standing responses will be available online at: <http://nccourts.org/costwaiver>.

AGENCY RESPONSE

Now comes the above-named government entity, by and through counsel, and requests that the following standing responses concerning waivers or remissions of court costs or fines pursuant to G.S. 7A-304(a) be provided to the trial courts as the agency's position on any waiver/remission of a cost or fine to which the agency may be entitled. This standing response is subordinate to personal appearance by agency counsel at any individual hearing at which such waiver or remission may be considered, in which case the agency's position shall be the one expressed at such hearing, notwithstanding any content of this standing response to the contrary.

1. **Standing Objection/Waiver of Objection.** The above-named agency hereby registers its *(check one)*
- a. objection to waiver or remission of any cost under G.S. 7A-304 or fine that may be due the agency.
 - b. lack of objection to any waiver or remission, for which the agency defers to the court's discretion.
2. **Waiver/Request for Notice.** The agency hereby requests that mailed notices under G.S. 7A-304(a) from the Administrative Office of the Courts be *(check one)*
- a. **Discontinued.** The agency no longer wishes to receive monthly notices.
 - b. **Continued/Resumed.** The agency wishes to continue receiving mailed notices, or to resume receipt of notices for which receipt was previously discontinued.

Signature		Date
Counsel Name (type or print)	Title	Bar No.
Firm Name (if applicable)	Address (if different from above)	
Telephone No.		