

**BONNEVILLE COUNTY
RESOLUTION NO. 05-06**

**A BONNEVILLE COUNTY RESOLUTION SETTING
THE BONNEVILLE COUNTY SHERIFF'S OFFICE CIVIL FEES**

WHEREAS, Idaho Code 31-3203 allows the Bonneville County Board of Commissioners to set civil fees to be charged by the Bonneville County Sheriff's Office for service of documents as listed in Idaho Code 31-3203; and

WHEREAS, the Bonneville County Sheriff has reviewed the costs of serving documents as listed in Idaho Code 31-3203 and has determined the fee for service of documents should be set according to the attached schedule; and

WHEREAS, the Bonneville County Board of Commissioners has diligently reviewed and discussed the regulations pertaining to fees charged by the Bonneville County Sheriff for the service of Civil Process;


NOW THEREFORE BE IT RESOLVED, that the Bonneville County Board of Commissioners sets forth the following fees for Civil Service:

Fees for the service of papers and documents specified in Idaho Code 31-3203 by the Bonneville County Sheriff shall be as described in the attached schedule.


FURTHER BE IT RESOLVED, that Resolution No. 05-06, to be known as the Bonneville County Sheriff's Civil Process Fees, shall become effective as of July 5, 2005.

PASSED AND ADOPTED this 31st day of May 2005, during the regular meeting of the Board of County Commissioners.

BONNEVILLE COUNTY BOARD OF COMMISSIONERS



Roger S. Christensen, Commissioner/Chairman



Lee Staker, Commissioner



Dave Radford, Commissioner

ATTACHMENTS

Resolution 05-06

Fee Schedule
(See Idaho Code 31-3203)

PROCESS	SERVICE FEE	RETURN FEE	ADVANCE FEE
Affidavit and Order	20.00	20.00	40.00
Assistance, Writ of	20.00	20.00	40.00
Attachment, Writ of	20.00	20.00	40.00
Arrest in Criminal Proceeding	5.00		5.00
Bond, For Taking of	10.00		10.00
Bench Warrant	20.00	20.00	40.00
Cancellation of Service Before Attempt		20.00	20.00
Cancellation of Service After Attempt	20.00	20.00	40.00
Certificate of Redemption		5.00	5.00
Certificate of Sale; Personal Property		10.00	10.00
Certificate of Sale; Real Property		10.00	10.00
Certified Mail	Actual Cost		
Claim & Delivery/Writ of Possession			
Serve Writ & Undertaking	20.00	20.00	40.00
Serve S/C with Writ	20.00	20.00	40.00
Support Affidavits and/or Notices	No Charge		
Temporary Restraining Order	20.00	20.00	40.00
Moving & Storage Costs; see Court Order (not more than \$5/day or the reasonable costs incurred by the keeper)			3000.00
Commission With Levy	100.00		10.00
Commission Without Levy	75.00		75.00
Commissioner of Insurance (S/C) (requires \$25 fee payable to Director of Insurance)	10.00	10.00	20.00

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PROCESS	SERVICE FEE	RETURN FEE	ADVANCE FEE
Complaint	20.00	20.00	40.00
Criminal Summons	No Charge		
Cross-Complaint	20.00	20.00	40.00
Deed, Sheriff's	10.00		10.00
Earnings Withholding Order	20.00	20.00	40.00
Eviction (Writ of Possession R/P)			3000.00
Execution, Writ of	20.00	20.00	Tow 500.00
Federal Court Process (individuals)	20.00	20.00	40.00
Federal County Process (government)	No Charge		
Garnishments			
State Auditor requires \$10 fee			
One Time Garnishment	20.00	20.00	40.00
Re-Garnishment	20.00	20.00	40.00
Continuous (commission not to exceed \$75)	20.00	20.00	40.00
Interim Return		10.00	10.00
Injunction Pendente Lite	20.00	20.00	40.00
Injunction	20.00	20.00	40.00
Keeper's Receipt	10.00		10.00
Keeper's Fees; see Court Order (not more than \$5/day or the reasonable costs incurred by the keeper:			
Levy (commission on receiving and paying over money on execution regarding land or personal property when levied and sold. On first \$1000, it is 2%; on all amounts over \$1000, it is 1% more; if not sale, it is \$100)			

PROCESS	SERVICE FEE	RETURN FEE	ADVANCE
Mileage (for travel to serve any summons & complaint, or any other service by which an action or proceeding is commenced, notice, rule, order, subpoena, venire, attachment on property, to levy an execution, to post notice of sale, to sell property under execution or other order of sale, or execute an order of arrest, or order for delivery of personal property, writ of possession or restitution, to hold inquest or trial of right of property)	First 25 miles, no charge allowed; any miles over 25, even if process not served, charge .40 per mile going to attempt or complete service (i.e. one direction only)		
Mileage (for travel to execute any warrant of arrest, subpoena, venire or other process in criminal cases, or for taking a prisoner from prison, before a court or magistrate, or for taking a prisoner from the place of arrest to prison, or before a court or magistrate)	.40 per miles in going only (i.e., one direction only); for each additional prisoner taken at the same time, an additional .25 per mile		
Not Found Return	20.00	20.00	40.00
Notice of Levy	5.00		5.00
Record Notice of Levy (Real Property)	Actual Cost		
Notice of Entry of Sister State Judgment	20.00	20.00	40.00
Notice of Sale – First Notice	5.00		5.00
Posting Each Additional Notice	5.00		5.00
Notice – Landlord Tenant	20.00	20.00	40.00
Notice to Pay Rent or Quit	20.00	20.00	40.00
Notice to Quit	20.00	20.00	40.00
Notice to Vacate	20.00	20.00	40.00
Order for Appearance or Examination	20.00	20.00	40.00
Order to Show Cause	20.00	20.00	40.00
Posting (Sale Notices)	5.00 each		5.00
Possession, Writ of (Real Property)	20.00	20.00	40.00
Possession, Writ of (Personal Property)	20.00	20.00	40.00

PROCESS	SERVICE FEE	RETURN FEE	ADVANCE FEE
Possession, Writ of (Claim & Delivery)	20.00	20.00	40.00
Personal Property Only:			
Serve Undertaking	No charge		
Serve S/C with Writ	20.00	20.00	40.00
Serve Temp. Rest. Order with Writ	20.00	20.00	40.00
Serve Affidavits and/or Notices	20.00	20.00	40.00
Preliminary Injunction	10.00	10.00	20.00
Real Property – Levy and Sell	20.00	20.00	350.00
Serve Notice of Levy on Recorder	15.00		15.00
Registered Mail	Actual Cost		
Return		20.00	20.00
Restitution, Writ of	20.00	20.00	40.00
Restraining Order	20.00	20.00	20.00
Sale Notice	5.00		5.00
Posting each additional Notice	5.00		5.00
Sheriff's Deed	15.00		15.00
Subpoena – Civil	20.00	20.00	40.00
Subpoena – Criminal	20.00	20.00	40.00
Small Claims Court S/C	30.00	20.00	50.00
Summons and Complaint	20.00	20.00	40.00
Summons and Petition	20.00	20.00	20.00
Summons - Juror	1.00		
Temporary Restraining Order	20.00	20.00	40.00
Tenant Three Day Notice	20.00	20.00	40.00

PROCESS	SERVICE FEE	RETURN FEE	ADVANCE FEE
Three Day Notice to Quit	20.00	20.00	40.00
Three Day Notice to Pay Rent or Quit	20.00	20.00	40.00
Undertaking/Bond	20.00		
Vehicle Inspection (VIN)	3.00		
Warrant, Bench (unless Def. Represented by State)	20.00	20.00	40.00
Warrant of Distraint	10.00	10.00	20.00
Writ of Assistance	20.00	20.00	40.00
Writ of Attachment	20.00	20.00	40.00
Writ of Execution	20.00	20.00	Tow 100.00
Writ of Possession – Personal Property	20.00	20.00	40.00
Writ of Possession – Real Property	20.00	20.00	40.00
Writ of Restitution	20.00	20.00	Moving & storage 3000.00

AVERAGE DEPUTY WAGE WITH BENEFITS:

\$ 27.77/ Hour

VEHICLE COST PER HOUR:

\$ 4.67/ Car

\$ 4.16/ Fuel/R&M

\$ 8.83 Total

AVERAGE CIVIL DEPUTY WAGE WITH BENEFITS:

\$ 18.00/ Hour

COST TO SERVE CIVIL PAPER PER HOUR:

\$ 27.77/ Hour for deputy

\$ 8.83/ Hour for vehicle

\$ 18.00/ Hour for civil deputy

\$ 54.60 Total