

October 12, 2017

To Whom It May Concern:

The 2017 Idaho Legislature amended the fee structure regarding sheriff's civil fees as provided in Idaho Code 11-729 (31-3203). The law allows the Board of County Commissioners of each county within the State of Idaho to have the power to set sheriff's fees by a resolution of the board. The fees will be for the services by the Sheriff in an amount reasonable related to but not exceeding the actual costs of such service. It is anticipated that on October 12, 2017, the Board of Clark County Commissioners will sign a resolution adopting fees. The resolution will keep the costs of "service" to \$30.00 and "interim returns" to \$10.00. All other fees will remain the same. The total fee schedule will be as follows:

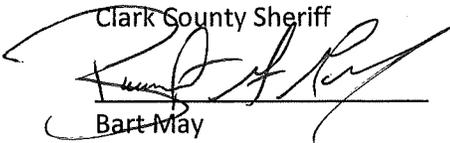
- For serving summons and complaint, or any other process by which an action proceeding is commenced, on each defendant.....\$30
- For serving an attachment on property, or levying and execution, or executing an order of arrest, or order for the delivery of personal property.....\$30
- For his trouble and expense in taking and keeping possession of an preserving property under attachment or execution, or other process, such sum as the court may order, however, that said sum shall be no more than five (\$5.00) per diem or the reasonable costs incurred by a keeper in preserving said property.
- For making and issuing a keeper's receipt.....\$5
- For taking a bond or undertaking in any case in which he is authorized to take the same..\$10
- For copy of and making return on any writ, process or other paper, when demanded or required by law.....\$10
- For serving every notice, rule or order.....\$30
- For making and posting notices, advertising property for sale on attachment or execution, or under any judgment or order of sale, exclusive of the costs of publication, per folio.....\$5
- For serving a writ of possession or restitution, putting a person in possession of premises and removing the occupant.....\$30
- For holding each inquest, or trial of right of property, to include all services in the matter except mileage.....\$3
- For serving a subpoena, for each witness summoned.....\$30
- For commissions for receiving and paying over money on execution or other process, when land or personal property has been levied on and sold, on the first one thousand dollars (\$1000), two percent (2%) on all sums above that amount, one percent (1%); but in no case of sale of real estate shall his commission exceed the sum of.....\$100
- When the amount of such sale is credited on the debt and no money transferred, the one-half (1/2) of such commission.
- For commissions for receiving and paying over money on execution without levy, or where lands or goods levied on are not sold, on the first one thousand dollars (\$1000), one and one-half percent (1 ½%) and one half (1/2) of one percent (1%) on all over that sum, but not to exceed in any case.....\$75

- The fees herein allowed for the levy of an execution, costs for advertising and percentage for making or collecting the money on execution, must be collected from the judgment debtor by virtue of such execution, in the same manner as the sum therein directed to be made.
- For drawing and executing a sheriff's deed, including the acknowledgment to be paid by the grantee before delivery.....\$10
- For executing a certificate of sale, exclusive of the filing and recording of same.....\$5
- For making every arrest in a criminal proceeding.....\$5
- For summoning each juror.....\$1
- For serving a subpoena in a criminal action or proceeding, for each witness summoned.\$30
- For traveling to serve any summons and complaint, or any other process by which an action or proceeding is commenced; notice rule, order, subpoena, venire, attachment on property, to levy an execution, to post notice of sales, to sell property under execution or other order of sale, or execute an order of arrest, or order for the delivery of personal property, writ of possession or restitution, to hold inquest or trial of right of property, for each mile actually and necessarily traveled for the first twenty-five (25) miles, no charge shall be allowed, and for any miles traveled over twenty-five (25) miles, even if process is not served, the following shall be allowed, in going only.....\$.40/mi*
- For each additional prisoner taken at the same time, per mile.....\$.25*
- But if any two (2) or more papers be required to be served in the same action or proceeding, civil or criminal, or be in the possession of the sheriff for service at the same time, and in the same direction, one (1) mileage only shall be charged; and in serving subpoena, venire, process or papers when two or more jurors, witnesses, parties or persons to be served resides or are found in the same direction, traveling fees must be charged only from the most distant; and only one (1) mileage per day must be charged for taking prisoner from prison before a court or magistrate; and constructive mileage must in no case be charged or allowed.
- For all services under the election laws, the same mileage and fees as this chapter provided for similar services.
- For copy of and making an interim return on a continuing garnishment to show disbursement of moneys held by the sheriff.....\$10
- For postage and processing of each mail renewal class D driver's license, authorized pursuant to section 49-319, Idaho Code.
- For most service there will be a flat fee; mileage will only be charged in extraordinary circumstances.

Upon passage of the resolution, Sheriff's fees should be attached to the service packet request.

Note: The term "service" shall be defined as the serving of a document or the attempt to serve the document to the party specified.

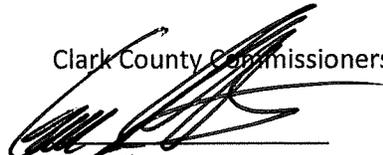
Clark County Sheriff



Bart May

October 12, 2017

Clark County Commissioners



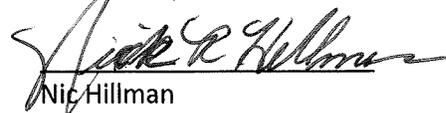
Greg Shenton

October 12, 2017



McCoy Ward

October 12, 2017



Nic Hillman

October 12, 2017