

CHAPTER 357

FEES

357.021 Clerk of district court; fees.

357.09 Sheriffs.

357.021 CLERK OF DISTRICT COURT; FEES.*[For text of subd 1a, see M.S.1980]*

Subd. 2. The fees to be charged and collected by the clerk of district court shall be as follows:

(1) In every civil action or proceeding in said court, the plaintiff, petitioner, or other moving party shall pay, when the first paper on his part is filed in said action, a fee of \$20, except that in an action for marriage dissolution, a fee of \$35.

The defendant or other adverse or intervening party, or any one or more of several defendants or other adverse or intervening parties appearing separately from the others, shall pay, when the first paper on his or their part is filed in said action, a fee of \$15.

The party requesting a trial by jury shall pay \$15.

The fees above stated shall be the full trial fee chargeable to said parties irrespective of whether trial be to the court alone, to the court and jury, or disposed of without trial, and shall include the entry of judgment in the action, but does not include copies or certified copies of any papers so filed or proceedings under chapter 106, except the provisions therein as to appeals.

(2) Certified copy of any instrument from a civil or criminal proceeding \$5 and \$3.50 for an uncertified copy.

(3) Issuing a subpoena \$1 for each name.

(4) Issuing an execution and filing the return thereof; issuing a writ of attachment, injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically mentioned, \$5.

(5) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment from another court, \$5.

(6) Filing and entering a satisfaction of judgment, partial satisfaction or assignment of judgment, \$5.

(7) Certificate as to existence or non-existence of judgments docketed, \$1 for each name certified to and \$1 for each judgment certified to.

(8) Filing and indexing trade name; or recording notary commission; or recording basic science certificate; or recording certificate of physicians, osteopaths, chiropractors, veterinarians or optometrists, \$5.

(9) For the filing of each partial, final, or annual account in all trusteeships, \$10.

(10) All other services required by law for which no fee is provided such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court.

Subd. 2a. Of the marriage dissolution fee collected pursuant to subdivision 1, the clerk shall pay \$15 to the state treasurer to be deposited in the general fund for the purposes of funding grant programs for emergency shelter services and support services to battered women under sections 241.61 to 241.66 and for

administering displaced homemaker programs established under section 4.40. The state treasurer shall identify and report to the commissioner of finance all amounts deposited in the general fund under this section.

[For text of subds 3 to 5, see M.S.1980]

History: 1981 c 360 art II s 41,42

357.09 SHERIFFS.

Subdivision 1. The fees to be charged and collected by the sheriff shall be as follows, and no other or greater fees shall be charged for:

(1) Serving a summons, warrant, writ, subpoena, or any process issued by a court of record, \$10 for each defendant served and mileage;

(2) Taking and approving a bond, \$4, and for certified copy thereof, \$1 per folio;

(3) Collection on execution after levy, five percent on the first \$250 and three percent on the remainder;

(4) Posting three notices of sale, \$10;

(5) Certificate of sale of real estate, \$10; copy thereof, when requested, \$6;

(6) Selling land on foreclosure of mortgage, for all services required, including executing certificate of sale, \$15; postponing such sale, \$2;

(7) Making diligent search and inquiry and returning summons when defendants cannot be found, \$5;

(8) Returning execution unsatisfied when no service is made, \$10;

(9) Receiving and paying over money paid on redemption of property and executing certificate, one percent on the amount so received, to be collected from the person redeeming, such fee not to exceed \$20 in any case;

(10) Securing and safely keeping property in replevin or attachment or on execution, to be computed on the basis of the time spent and hourly rate of pay of the sheriff or deputy executing the process;

(11) For services not herein enumerated, the sheriff shall be entitled to the same fees as for similar duties;

(12) For all process when no charge is made for service of a return of not found or unsatisfied, \$5.

Subd. 2. When mileage is allowed the sheriff it shall be computed from the place where the court is usually held and shall be at the rate provided pursuant to section 43.327, plus eight cents per mile notwithstanding any other provisions of law to the contrary.

[For text of subds 3 to 7, see M.S.1980]

Subd. 8. Counties with a population in excess of 80,000 according to the latest federal decennial census or the population estimates of the demographer pursuant to section 4.12 are not subject to the provisions of this section, but the county board in exempt counties shall set the sheriff's fees with the advice and consultation of the sheriff.

History: 1981 c 325 s 1-3