

## CHAPTER 357

## FEES

357.021 Court administrator of district court;  
fees.  
357.022 Conciliation court fee.

357.08 Paid by appellant in appeal.  
357.09 Sheriffs.

**357.021 COURT ADMINISTRATOR OF DISTRICT COURT; FEES.**

Subd. 1a. Every person, including the state of Minnesota and all bodies politic and corporate, who shall transact any business in the district court, shall pay to the court administrator of said court the sundry fees prescribed in subdivision 2. The court administrator shall transmit the fees monthly to the county treasurer who shall forward the funds to the state treasurer for deposit in the state treasury and credit to the general fund.

Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator 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 is filed for that party in said action, a fee of \$55, except that in an action for marriage dissolution, the fee is \$75.

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 is filed for that party in said action, a fee of \$55, except that in an action for marriage dissolution, the fee for the respondent is \$75.

The party requesting a trial by jury shall pay \$30.

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 sections 106A.005 to 106A.811, except the provisions therein as to appeals.

(2) Certified copy of any instrument from a civil or criminal proceeding \$5, plus 25 cents per page after the first page and \$3.50, plus 25 cents per page after the first page for an uncertified copy.

(3) Issuing a subpoena \$3 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 nonexistence of judgments docketed, \$1 for each name certified to and \$3 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. **Certain fee purposes.** Of the petitioner's marriage dissolution fee collected pursuant to subdivision 2, the court administrator shall pay \$35 to the state treasurer to be deposited in the general fund.

*[For text of subd 3, see M.S.1988]*

Subd. 4. Nothing in this section shall be construed as amending, modifying, redistributing, or repealing the provisions as to library fees contained in chapter 140.

*[For text of subd 5, see M.S.1988]*

**History:** 1989 c 282 art 2 s 185; 1989 c 335 art 3 s 6-9; art 4 s 82

**NOTE:** Subdivision 2a was also amended by Laws 1989, chapter 282, article 2, section 186, to read as follows:

"Subd. 2a. **Certain fee purposes.** Of the marriage dissolution fee collected pursuant to subdivision 1, the court administrator shall pay \$55 to the state treasurer to be deposited in the special revenue fund to be used as follows: \$35 for the purposes of funding grant programs for emergency shelter services and support services to battered women under sections 611A.31 to 611A.36 and for administering displaced homemaker programs established under section 268.96; and \$20 is appropriated to the commissioner of corrections for the purpose of funding emergency shelter services and support services to battered women, on a matching basis with local money for 20 percent of the costs and state money for 80 percent. Of the \$35 for the purposes of funding grant programs for emergency shelter services and support services to battered women under sections 611A.31 to 611A.36 and for administering displaced homemaker programs established under section 268.96, \$16.75 is appropriated to the commissioner of corrections and \$18.25 is appropriated to the commissioner of jobs and training. The commissioner of jobs and training may use money appropriated in this subdivision for the administration of a displaced homemaker program regardless of the date on which the program was established."

**NOTE:** Subdivisions 1a and 2a, as amended by Laws 1989, chapter 335, article 3, sections 6 and 8, are effective July 1, 1990, in all judicial districts except the eighth. However, subdivision 1a is effective July 1, 1989, with respect to the increase in fees under subdivision 2. See Laws 1989, chapter 335, article 3, section 58, subdivision 2, as amended by Laws 1989, chapter 356, section 67.

### **357.022 CONCILIATION COURT FEE.**

The court administrator in every county shall charge and collect a filing fee of \$10 from every plaintiff and from every defendant when the first paper for that party is filed in any conciliation court action. The court administrator shall transmit the fees monthly to the state treasurer for deposit in the state treasury and credit to the general fund.

**History:** 1989 c 335 art 3 s 10

### **357.08 PAID BY APPELLANT IN APPEAL.**

There shall be paid to the clerk of the appellate courts by the appellant, or moving party or person requiring the service, in all cases of appeal, certiorari, habeas corpus, mandamus, injunction, prohibition, or other original proceeding, when initially filed with the clerk of the appellate courts, the sum of \$150 to the clerk of the appellate courts. An additional filing fee of \$50 shall be required for a petition for accelerated review by the supreme court. A filing fee of \$150 shall be paid to the clerk of the appellate courts upon the filing of a petition for review from a decision of the court of appeals. A filing fee of \$150 shall be paid to the clerk of the appellate courts upon the filing of a petition for permission to appeal. A filing fee of \$75 shall be paid to the clerk of the appellate courts upon the filing by a respondent of a notice of review. The clerk shall transmit the fees to the state treasurer for deposit in the state treasury and credit to the general fund.

The clerk shall not file any paper, issue any writ or certificate, or perform any service enumerated herein, until the payment has been made for it. The clerk shall pay the sum into the state treasury as provided for by section 15A.01.

The charges provided for shall not apply to disbarment proceedings, nor to an action or proceeding by the state taken solely in the public interest, where the state is the appellant or moving party, nor to copies of the opinions of the court furnished by the clerk to the parties before judgment, or furnished to the district judge whose decision is under review, or to such law library associations in counties having a population exceeding 50,000, as the court may direct.

**History:** 1989 c 335 art 3 s 11

### **357.09 SHERIFFS.**

Subdivision 1. Fees set under subdivision 8 shall be charged and collected by the sheriff for:

- (1) Serving a summons, warrant, writ, subpoena, or any process issued by a court of record, for each defendant served and mileage;
- (2) Taking and approving a bond, and for a certified copy;
- (3) Collection on execution after levy;
- (4) Posting three notices of sale;
- (5) Certificate of sale of real estate; a copy when requested;
- (6) Selling land on foreclosure of a mortgage, for all services required, including executing a certificate of sale; postponing such a sale;
- (7) Making diligent search and inquiry and returning a summons when defendants cannot be found;
- (8) Returning an execution unsatisfied when no service is made;
- (9) Receiving and paying over money paid on redemption of property and executing a certificate, to be collected from the person redeeming;
- (10) Securing and safely keeping property in replevin or attachment or on execution;
- (11) For services not herein enumerated, if provided by the county board;
- (12) For all process when no charge is made for service of a return of not found or unsatisfied.

Subd. 2. When mileage is allowed the sheriff it shall be computed from the place where the court is usually held.

Subd. 3. The sheriff shall be allowed reasonable and necessary expenses actually paid out for food furnished any prisoner while conducting the prisoner to jail and for the prisoner's transportation by a common carrier.

Subd. 4. The fees allowed for the service of an execution, for advertising thereon, and for filing certificate with the county recorder shall be collected by virtue thereof and in the same manner as the sum therein directed to be levied.

Subd. 6. This section shall not relate to or affect the fees of the sheriff of Ramsey county.

Subd. 7. All special laws relating to sheriffs' fees and mileage allowance which are inconsistent with the provisions of Laws 1977, chapter 338, are superseded to the extent of the inconsistency.

Subd. 8. The county board shall set the sheriff's fees with the advice and consultation of the sheriff.

**History:** 1989 c 176 s 1