

RESOLUTION 2018 - 037

**RESOLUTION SETTING SHERIFF'S FEES FOR SERVICE OF CIVIL PROCESS**

**WHEREAS**, Section 7-32-2141 (1), M.C.A. authorizes the Board of County Commissioners to set the fees the Sheriff may charge for services provided under Section 7-32-2141 (a)-(1)(n), M.C.A.; and

**WHEREAS**, the Missoula County Sheriff's Office fees were last revised on Feb. 20, 2014; and

**WHEREAS**, the Missoula County Sheriff's Office and the Civil Process Dept. have researched the fees charged by private process servers in Missoula County and fees charged by other Sheriff's Office in counties near to and/or similar to Missoula County; and

**WHEREAS**, the Missoula County Sheriff's Office has examined fees and has recommended changes due to the increasing costs of providing the services; and

**WHEREAS**, the Missoula County Sheriff has recommended the fee schedule be updated.

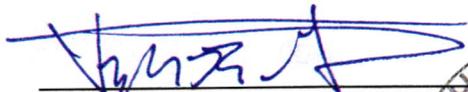
**NOW, THEREFORE BE IT RESOLVED** that the Board of Commissioners of Missoula County, Montana, hereby set the fees to be collected by the Missoula County Sheriff's Office under Section 7-32-2141 (1), M.C.A., as follows:

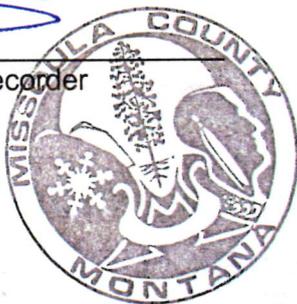
- 1. Summons & Complaint or Petition \$100  
for each person or business and per each location
- 2. Subpoena \$100  
for each witness
- 3. Small Claims \$100  
for each person or business
- 4. Court Order, Notice, Rule, Minute Entry, letter, etc. \$100  
for each person or business
- 5. Posting Notices \$100
- 6. Reissue lost Sheriff's Returns or Affidavits \$25
- 7. Writ of Execution and Writ of Attachment \$150  
for each person or business and per each location
- 8. Writ of Assistance, Order for possession \$100  
for service on each person by service or posting
- 9. Writ or Claim & Delivery, seizing property other than monies \$300  
includes accepting claims and undertakings, plus \$150  
per each additional item or parcel, plus any service fees,  
filing fees, impound/storage costs and/or other outside costs incurred
- 10. Sheriff's Sale or Agister's Lien (livestock only) \$300  
includes preparing, advertising, accepting claims and  
undertakings, issuing certificates and deeds, plus \$150  
per each additional item or parcel, in addition to any other  
service fees, filing fees, publication costs, impound/storage costs and/or other outside  
costs incurred

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| 11. Postponement Fee   | \$100  |
| 12. If the Missoula County has to be involved in the storage of personal property concerning writ of execution or Sheriff's sales there will be storage fee imposed until the property is removed. The County is not responsible for fees requested by private towing/wrecker companies upon their rotation. | \$25/ day  |
| 13. Sheriff's Deed when not immediate conjunction with Sheriff's Sale  | \$60   |
| 14. Teletype fee per vehicle or item for sending and/or obtaining teletypes necessary for civil process such as vehicle/item registration and lien information   | \$20   |
| 15. Misc. fees for Civil Process service:  |  |
| A. Standby Orders  | \$75 for 1 <sup>st</sup> Hour +<br>\$50 each additional<br>hour per Deputy |
| B. Notary Public   | \$5  |
| C. Per faxed page  | \$1  |
| D. Per copied page   | 50¢  |

Dated this 5<sup>th</sup> day of April, 2018

ATTEST:

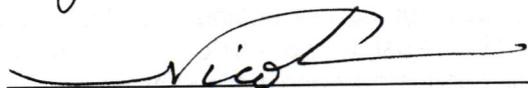
  
 Tyler Gernant, Clerk and Recorder



BOARD OF COUNTY COMMISSIONERS  
 MISSOULA COUNTY

  
 David Strohmaier, Chair

  
 Jean Curtiss, Commissioner

  
 Nicole Rowley, Commissioner