

## **Civil Fees for Service**

Listed below is the fee structure for Civil Process under §30-1-104, in accordance with House Bill 10-1057, approved August 11, 2010. San Miguel County Board of Commissioners approved under resolution number 2021-13, on April 21, 2021. non expiring.

### **Fees for Service - (Effective January 1st, 2023)**

<b>Mileage fee \$.59 a mile for criminal services \$.62.5 a mile for civil services</b>	
<b>Notary on all services unless specified</b>	<b>Per Service</b>
For serving and returning a <b>summons</b> or other writ of process in a <b>criminal action</b> not specified in this section, with or without complaint attached, on each party served, in counties of every class;	\$15.00
For serving and returning a <b>summons</b> or other writ of process <b>in other than a criminal action</b> not specified in this section, with or without complaint attached, on each party served;	\$35.00
For making a <b>return</b> on a <b>summons</b> in a <b>criminal action</b> not served,	\$5.00
For making a <b>return</b> on a <b>summons</b> in <b>other than a criminal action</b> not served, for each party;	\$20.00
For serving and returning each <b>subpoena</b> in a <b>criminal action</b> on each witness;	\$7.50
For serving and returning each <b>subpoena</b> in <b>other than a criminal action</b> on each witness;	\$60.00
For making return on a <b>subpoena</b> in a <b>criminal action</b> not served;	\$5.00
For making return on a <b>subpoena</b> in <b>other than a criminal action</b> not served;	\$20.00
For serving each juror;	\$10.00
For serving and returning <b>writ of attachment or replevin</b> on each party, in counties of every class, mileage as described in Section III.B of this resolution and actual expenses;	\$Actual .55mile
For serving <b>garnishee</b> summons on each party;	\$20.00
In making demand for payment on <b>executions</b> when payment is not made;	\$1.00
For <b>levying execution</b> or <b>writ of attachment</b> , besides actual custodial and transportation costs necessarily incurred in counties of every class, mileage as described in Section III.B. of this resolution and actual expenses;	\$Actual
For <b>levying writ of replevin</b> , besides actual custodial and transportation costs necessarily incurred in counties of every class, mileage as described in Section III.B. of this resolution and actual expenses;	\$Actual
No <b>custodian</b> shall be appointed by the sheriff to take custody of goods by him or her attached, nor shall any deputy be placed in charge thereof, unless the plaintiff or his or her attorney shall request the appointment of such custodian in writing; such custodian or deputy shall received twelve dollars(\$12.00) per diem of twelve hours or fraction thereof, which shall be taxed as costs in the case;	\$12.00
For making and filing for record a <b>certificate of levy</b> on attachment or other cases, in counties of every class, actual expenses;	\$30.00

For <b>committing and discharging convicted prisoners</b> to and from the county jail, in counties of very class, a reasonable fee, not to exceed thirty dollars (\$30.00), which fee shall be collected directly from prisoners at the time of commitment, but shall be refunded to any prisoner who is not convicted;	\$30.00
For serving <b>writ with aid of posse Comitatus</b> with actual expenses necessarily incurred in executing said writ, in counties of every class, actual expenses, but not more than sixty dollars (\$60.00); for serving same without aid in counties of every class, actual expenses, but not more than four dollars (\$4.00);	\$60.00
For <b>attending before any judge</b> , court not being in session, with prisoners with writ of habeas corpus for each day of twelve hours or fraction thereof;	\$12.00
For <b>attending courts</b> of record when in session, per diem of twelve hours or fraction thereof; in counties of every class, twelve dollars (\$12.00); but the attendance upon the county court shall be certified by the judge of said court at the close of each month;	\$12.00
For <b>advertising</b> property for sale, besides the actual cost of the advertising, in counties of every class, actual expenses;	\$30.00
For making <b>certificates of sale</b> previous to execution of deed, or on sales of personal property, in counties of every class, actual expenses;	\$30.00
For executing and acknowledging <b>deed</b> of sale of real estate, in counties of every class, actual expenses;	\$40.00
For taking, approving, and <b>returning bond</b> in any case, in counties of every;	\$10.00
For <b>executing capias or warrant in criminal</b> cases, on each prisoner named therein;	\$2.00
For <b>transporting insane or other prisoners</b> , besides the actual expenses necessarily incurred, in counties of every class, not less than twelve cents per mile nor more than the maximum mileage allowance provided for state officers and employees under § 24-9-104, C.R.S., as determined by resolution of the board of county commissioners of each county or as proved by the charter of home rule county, and for the service of mittimus other process order, whether written or otherwise, in transporting prisoners, in counties of very class, not less than twelve centers per mile nor more than the maximum mileage allowance provided for state officers and employees under §24-9-104, C.R.S., as determined by resolution of the board of county commissioners of each county; except that such mileage shall be only by one officer and no mileage shall be charged upon the guards attending the officer in charge of the prisoner shall receive, besides the expenses necessarily incurred, the sum of twelve dollars (\$12.00) per diem of twelve hours, or fraction thereof, to be paid out of the county treasury;	\$12 plus mileage
For his or her services in sales of real estate on an execution or decree, order of court, or other court process, besides actual expenses, in counties of every class on all bids under three thousand dollars (\$3,000.00) twenty dollars (\$20.00); and on all sums bid over three thousand dollars (\$3,000.00), one percent; but such commission shall in no case exceed the sum of one hundred dollars (\$100.00);	\$100.00

For money collected by <b>sale of personal property</b> , in counties of every class, on all sums bid under five hundred dollars (\$500.00) five percent; on all sums bid over five hundred dollars (\$500.00) five percent; on all sums bid over five hundred dollars (\$500.00) and under one thousand dollars (\$1,000.00), six percent; and on all sums bid over one thousand dollars (\$1,000.00), seven percent; but no fee shall be charged for an auctioneer or other person for making sales of personal property; and in no case shall such commission exceed the sum of one hundred dollars (\$100.00);	Percentage
For money collected or settlements made without sale, after writ of execution, attachment, or replevin has been placed in his/her hands, and levy or demand for payment has been made on the proper party, on all amounts under five hundred dollars (\$500.00), three percent; on all amounts over five hundred dollars (\$500.00) and under one thousand dollars (\$1,000.00), two percent; on all amounts over one thousand (\$1,000.00), one and one-half percent; but the fee in no case shall exceed the sum of one hundred fifty dollars (\$150.00); and the plaintiff or any person making any settlement shall be liable to the sheriff for such fees;	Percentage
For <b>pursuing and capturing</b> or pursuit without capture, <b>each prisoner</b> charged with the commission of any crime denominated a felony, beyond the limits of the county, all necessary expenses of such pursuit, upon a verified, itemized account being presented for the same together with twelve dollars (\$12.00) per diem of twelve hours for the time occupied in such pursuit;	\$12.00
For serving and returning writ of ne exeat or body attachment, in counties of every class, actual expenses	\$20.00
For <b>serving copy of execution</b> when making levy on shares of stock under execution, on each party served, in counties of every class, actual expenses;	\$60.00
For making <b>certificates of levy</b> on shares, or otherwise, in counties of every class, actual expenses;	\$30.00
For making <b>return of execution</b> , in counties of every class, actual expenses;	\$60.00
For executing <b>certificate of redemption</b> , in counties of every class, actual expenses;	\$30.00
For service and execution of any <b>writ of restitution</b> or <b>order of possession</b> of premises, besides actual transportation costs necessarily incurred in counties of every class, actual expenses not to exceed two hundred dollars (\$200.00), except that a Sheriff may charge for actual expenses in excess of two hundred dollars if the work performed exceeds two hours in duration. A Sheriff may charge a fee under this paragraph (36) after the sheriff has provided a detailed accounting of his or her actual expenses to the person requestion such service. Actual transportation costs assessed pursuant to this paragraph shall only be charged once per location for each service or execution;	\$200.00 Actual Expenses
Pursuant to § 30-1-104(2) C.R.S., as amended, " <b>actual expenses</b> " means those personnel and processing costs incurred in typing, processing, filing, and serving said process papers but does not include mileage	Actual