

COURT ORDER 2017-1151



Sheriff and Constable Fees

On a motion made by Commissioner Dr. Theresa M. Daniel, District 1, and seconded by Commissioner Dr. Elba Garcia, District 4, the following order was passed and adopted by the Commissioners Court of Dallas County, State of Texas:

BRIEFING DATE: 9/19/2017
FUNDING SOURCE: N/A

Be it resolved and ordered that the Dallas County Commissioners Court does hereby approve the fees as prescribed below shall be in effect January 1, 2018 until further Order of this Court and that the County Clerk will submit written notice of the fees to the State Comptroller no later than October 15, 2017.

The Sheriff and Constable shall receive a fee for performing the following service or attempt of service:

- \$95 Simultaneous Temporary Restraining Order and Notice in Domestic Relations court cases
- \$80 Citation, Summons, Notice, Subpoena, Temporary Restraining Order, Injunction, or Other Service Not Listed
- \$65 Citation or Notice by Publication (plus the costs of publication)
- \$65 Citation or Notice by Registered or Certified Mail (plus the costs of registered or certified mail) {\$65 mail service fee cannot be assessed by Justice of the Peace courts}
- \$150 Writ of Sequestration, Writ of Attachment, Writ of Restitution, Writ of Execution, Order of Sale, Order of Retrieval, Tax Warrant, Distress Warrant, Mental Illness Warrant, Writ of Reentry, or Other Writs Not Specifically Listed
- \$140 Writ of Garnishment

Recommended by: Darryl Thomas
Originating Department: Auditor

- \$150 Writ of Possession Without Fee for Posting Notice Plus \$40 Per Deputy Hour After Three Hours
- \$170 Writ of Possession With \$20 Fee for Posting Notice as Required by Property Code Chapter 24.0061 or Tax Code Chapter 33.51 Plus \$40 Per Deputy Hour After Three Hours
- \$40 Per Deputy Hour for Canceled Sales Plus Incurred Costs

Commissions for collecting money on an Execution, Order of Sale or Tax Warrant when the Collection is made by a Sale: Ten percent (10%) for the first Ten Thousand Dollars (\$10,000) or portion thereof; and two and one-half percent (2.5%) for amounts over the first Ten Thousand Dollars (\$10,000) with the total commissions per sale limited to Five Thousand Dollars (\$5,000) plus costs and deputy hours worked in excess of ten (10) hours at a rate of Forty Dollars (\$40) per hour. Commission calculations should include judgment, interest and attorney fees collected while excluding any court costs.

Commissions for collecting money on an Execution or Order of Sale (no commission on a Tax Warrant without a sale) when the Collection is made without Sale: Five percent (5%) for the first Ten Thousand Dollars (\$10,000) or portion thereof; and one and a quarter percent (1.25%) for amounts over the first Ten Thousand Dollars (\$10,000) with the total commissions per collection without a sale limited to Two Thousand Five Hundred Dollars (\$2,500) plus costs and deputy hours worked in excess of ten (10) hours at a rate of Forty Dollars (\$40) per hour. Commission calculations should include judgment, interest and attorney fees collected while excluding any court costs.

Other

- \$20 Bailiff Fee for Bailiff Services Rendered by a Deputy Sheriff or Reserve Deputy Sheriff – One Time in Each County Court or District Court case
- \$20 Posting Notice (plus Actual Certified Mail Costs for mailing a copy of the Posted Notice)

Done in open court September 19, 2017, by the following vote:

IN FAVOR: Honorable Clay Lewis Jenkins, County Judge
 Commissioner Dr. Theresa M. Daniel, District 1
 Commissioner Mike Cantrell, District 2
 Commissioner John Wiley Price, District 3
 Commissioner Dr. Elba Garcia, District 4

OPPOSED: None

ABSTAINED: None

ABSENT: None

Recommended by: Darryl Thomas
Originating Department: Auditor