6-05/300.10 State of California or Other Political Subdivisions

Generally under GC 6103, government entities are not required to pay or deposit any fee for the filing of any document or paper or for the performance of any official service. This section specifically does not apply to the State Compensation Insurance Fund or where a public officer is acting with reference to private assets or obligations which have come under the officer's jurisdiction by virtue of his/her office (such officer is generally denominated as the Public Administrator), or where it is specifically provided otherwise. Many government agencies will quote GC 6103 to exempt them from providing a service fee for the service of civil process.

However, GC 6103.2 indicates that GC 6103 does not apply if the service is required upon all persons or entities within the private sector except where prohibited by other provisions of law, i.e. those specifically identified in statutes: Labor Commissioner and the district attorney's office for the establishment or enforcement of a child support obligation.

Fees for service of process for a government agency which are not charged pursuant to GC 6103,

shall be included in the officer's return and whenever a judgment is recovered in the action or proceeding, the clerk entering the judgment shall include as a part of such judgment any fee amounts for an official service rendered by the clerk of the court, amounts ordered by the court and the fee for the service of process which would have been paid but for Section 6103, designating it as such. When an amount equal to such fees is collected upon that judgment, those amounts shall be due and payable to the serving officer. (GC 6103.5)