

6-05/800.00 Specific Fees

• 6-05/800.10 Arrest Warrant Arising From Order of Appearance

GC 26744 The fee for serving or executing a bench warrant arising from an order of appearance issued under Sections 491.160 or 708.170 of the Code of Civil Procedure is fifty dollars (\$50).

GC 26744.5 (a) The fees for processing a warrant issued pursuant to Section 1993 of the Code of Civil Procedure shall be paid by the moving party, as follows:

(1) Forty dollars (\$40) to receive and process the warrant, which shall include the issuance and mailing of a notice advising the person to be arrested of the issuance of the warrant and demanding that the person appear in court.

(2) Forty dollars (\$40) to cancel the service of the warrant.

(3) Eighty-five dollars (\$85) if unable to find the person at the address specified using due diligence.

(4) One hundred dollars (\$100) to arrest the person, which shall include the arrest and release of the person on a promise to appear pursuant to Section 1993.2 of the Code of Civil Procedure.

(b) The in forma pauperis fee waiver provisions under Rules 3.50 to 3.58, inclusive, of the California Rules of Court shall apply to the collection of fees under this section.

• 6-05/800.11 Book Levy on Property in Levying Officer's Possession

GC 26734 The fee for making a levy on personal property already in possession of the officer who is holding it under attachment in the same action shall be the amount described in Section 26720.9.

GC 26720.9 Notwithstanding any other law, the amounts set forth in Sections 26721, 26721.1, 26725, 26728, 26734, 26742, and 26743 shall be forty dollars (\$40).

• 6-05/800.12 Cancellation

GC 26736 The fee for cancellation of the service or execution of any process or notice, *other than a summons*, prior to its completion is forty dollars (\$40). The fee provided by this section shall not be charged if a fee is charged pursuant to any other section of this article in attempting to serve or execute the process or notice.

GC 26721.2 (b) The fee for cancellation of the service of a summons prior to its completion is forty dollars (\$40).

The fee to cancel the service of an earnings withholding order prior to its completion shall not exceed the fee to serve the order: thirty-five dollars (\$35).

GC 26744.5 (a) (2) The fee to cancel the service of a warrant is forty dollars (\$40).

- **6-05/800.13 Copying**

GC 26727 The fee for a copy of any writ, process, paper, order, or notice actually made by him or her when required or demanded is one dollar (\$1) per page, except that when correct copies are furnished to him or her for use no charge shall be made for those copies.

- **6-05/800.14 Daily Levy Fee**

The fee for maintaining custody of property under levy by the use of a keeper is forty dollars (\$40) for each day custody is maintained after the first day. GC 26726(b)

- **6-05/800.15 Disbursement Processing Fee**

GC 26746 (a) In addition to any other fees required by law, a processing fee of twelve dollars (\$12) shall be assessed for each disbursement of money collected under a writ of attachment, execution, possession, or sale, but excluding any action by the local child support agency for the establishment or enforcement of a child support obligation. The fee shall be collected from the judgment debtor in addition to, and in the same manner as, the moneys collected under the writ. All proceeds of this fee shall be deposited in a special fund in the county treasury. A separate accounting of funds deposited shall be maintained for each depositor, and funds deposited shall be for the exclusive use of the depositor.

(b) The special fund shall be expended to supplement the county's cost for vehicle fleet replacement and equipment, maintenance, and civil process operations, including data systems and consultant services.

(c) A processing fee shall not be charged pursuant to this section if the only disbursement is the return of the judgment creditor's deposit for costs.

- **6-05/800.16 Earnings Withholding Order**

GC 26750 (a) The fee for serving an earnings withholding order under the Wage Garnishment Law

(Chapter 5 (commencing with Section 706.010) of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure), including, but not limited to, the costs of postage or traveling, and for performing all other duties of the levying officer under that law with respect to the levy shall be thirty-five dollars (\$35).

(b) Except as provided in Section 26746, the levying officer shall not charge additional fees, costs, or expenses for performing the duties under the Wage Garnishment Law (Chapter 5 (commencing with Section 706.010) of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure).

- **6-05/800.17 Immediate Possession of Property**

GC 26722 The fee for serving, executing, or processing any writ or order where the levying officer is required to take immediate possession of the property levied upon is one hundred dollars (\$100).

- **6-05/800.18 Jury Summons**

GC 26745 The fee for summoning a trial jury of 12 or less is two dollars (\$2), and for each additional juror, ten cents (\$0.10).

- **6-05/800.19 Keeper's Fee**

The keeper's fee is \$140 for 8 hours, or any party thereof; and \$280 for more than 8 but not to exceed 12 hours. (GC 26726)

The keeper shall be paid sixty dollars (\$60) when scheduled for a levy and the levy is determined to be Not Found. GC 26726 (c) Notwithstanding any other fee charged, a keeper shall receive sixty dollars (\$60) when, pursuant to GC 26738, a levying officer prepares a not-found return.

- **6-05/800.20 Executing Instrument**

GC 26742 The fee for executing and delivering any other instrument shall be the amount described in GC 26720.9. Forty dollars (\$40)

- **6-05/800.21 Notary Public**

GC 8211 (cited in part) (a) For taking an acknowledgment or proof of a deed, or other instrument, to include the seal and the writing of the certificate, the sum of fifteen dollars (\$15) for each signature taken.

(b) For administering an oath or affirmation to one person and executing the jurat, including the seal, the sum of fifteen dollars (\$15).

- **6-05/800.22 Not Found**

The fee for making a not-found return on an affidavit and order, order for appearance, subpoena, writ of attachment, writ of execution, writ of possession, order for delivery of personal property, or other process or notice required to be served, certifying that the person or property cannot be found at the address specified is thirty-five dollars (\$35). GC 26738

- **6-05/800.23 Other Charges**

GC 26748 In addition to the fees provided by this article, the sheriff may collect from the litigant or person requiring his services, his actual expenses for inspection, checking, releasing, or any other handling of property under his custody, charge, or keeping pursuant to any process, writ, order, paper, or notice, and actual postal charges paid for mailing by registered mail or certified mail any notice or demand required or authorized by law to be sent by registered mail or certified mail.

- **6-05/800.24 Personal Property Sale Notice**

GC 26728 The fee for preparing and posting the initial notice of personal property sale under a writ of attachment, execution, or sale or order of court shall be the amount described in Section 26720.9. (\$40)

GC 26728.1 The fee for preparing and posting additionally required notices of personal property sales is fifteen dollars (\$15) each.

- **6-05/800.25 Prejudgment Claim of Right to Possession (Unlawful Detainer)**

GC 26721.1 In an action for unlawful detainer, the fee for service of a summons, complaint, and prejudgment claim of right to possession pursuant to Section 415.46 of the Code of Civil Procedure

shall be the amount described in GC 26720.9 for all occupants not named in the summons. The fee is not refundable. (\$40)

- **6-05/800.26 Publication Notice**

GC 26729 The fee for furnishing a notice for publication is fifteen dollars (\$15).

- **6-05/800.27 Publication Costs in Newspaper**

GC 26732 The fee for publication of a notice in a newspaper is the reasonable cost of the publication.

- **6-05/800.28 Real Estate Levy**

GC 26725 The fee for serving, executing, or processing a writ of attachment, writ of execution, writ of sale, or order on real estate, as to the initial service or posting of a continuous unbroken parcel or tract, and the fee for serving a record owner other than the defendant shall be the amount described in GC 26720.9. (\$40)

GC 26725.1 The fee for the serving or posting of any additionally required notices or orders on other parcels is twenty dollars (\$20) each.

- **6-05/800.29 Safe Deposit Box**

GC 26723 The fee for opening a safe-deposit box pursuant to Sections 488.460 and 700.150 of the Code of Civil Procedure is one hundred thirty-five dollars (\$135).

- **6-05/800.30 Sale of Property**

GC 26741 [Certificate or Deed of Sale] The fee for executing and delivering a certificate or deed of sale is fifteen dollars (\$15).

GC 26740 [Certificate of Redemption] The fee for the execution and delivery of a deed or certificate of redemption is fifteen dollars (\$15).

GC 26730 [Conducting sale] The fee for conducting or postponing the sale of real or personal property as required by law or the litigant is ninety dollars (\$90).

CCP 701.660, RTC 11911

- **6-05/800.31 Subpoena**

GC 26743 The fee for subpoenaing a witness, including a copy of the subpoena and any affidavit required to be served therewith, shall be the amount described in GC 26720.9. (\$40). No charge should be made to serve a criminal subpoena (GC 6103; California Constitution §15)

- **6-05/800.32 Summons and Complaint**

GC 26721.2 (a) For any action commenced in the superior court, the fee for the service of the summons, the complaint for which the summons is issued, and all other documents or notices required to be served with the summons and complaint, is forty dollars (\$40).

(b) The fee for cancellation of the service of a summons prior to its completion is forty dollars (\$40).

(c) The fee for making a not-found return on a summons certifying that the person cannot be found at the address specified is forty dollars (\$40).

There is no fee for service of a criminal summons on a corporation; see PC 1390.

- **6-05/800.33 Vehicle Correction Certificate**

GC 26746.1 (a) A twenty-dollar (\$20) fee shall be assessed by the sheriff or marshal for certification of correction on each citation that requires inspection for proof of correction of any violation pursuant to Section 40616 of the Vehicle Code.

(b) All proceeds of the fee shall be deposited in a special fund in the county treasury. A separate accounting of funds deposited shall be maintained for each depositor, and funds deposited shall be for the exclusive use of the sheriff's civil division or marshal.

(c) Ninety-five percent of the moneys in the special fund shall be expended to supplement the costs of the depositor for the implementation, maintenance, and purchase of auxiliary equipment and furnishings for automated systems or other nonautomated operational equipment and furnishings deemed necessary by the sheriff's civil division or marshal. Five percent of the moneys in the special fund shall be used to supplement the expenses of the sheriff's civil division or marshal in administering the funds.

- **6-05/800.34 Writ of Possession (Real Property)**

GC 26733.5 The fee for serving a writ of possession of real property on an occupant or the occupants or for posting and serving a copy on the judgment debtor is eighty-five dollars (\$85). The additional fee for removing an occupant or occupants from the premises and putting a person in possession of the

premises is sixty dollars (\$60). The fee for reposting a notice to vacate shall be pursuant to Section 26721. (\$40)
