

MAINE STATE LEGISLATURE

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ONE HUNDRED AND SIXTH LEGISLATURE

Legislative Document

No. 426

S. P. 171

In Senate, January 30, 1973

Referred to Committee on Judiciary. Sent down for concurrence and ordered printed.

HARRY N. STARBRANCH, Secretary

Presented by Senator Greeley of Waldo.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-THREE

AN ACT Relating to Fees of Clerks of Courts.

Be it enacted by the People of the State of Maine, as follows:

R. S., T. 4, § 555, amended. Section 555 of Title 4 of the Revised Statutes, as amended by chapter 256 of the public laws of 1965, is further amended to read as follows:

§ 555. Fee schedule

The fees of clerks of the judicial courts shall be as follows:

For every blank writ of attachment with a summons, or an original summons, ~~100~~ 50¢;

Blank writs of replevin with the seal, signature and blank bond, ~~200~~ 50¢;

Entry of an action, or entering up and recording the judgment, ~~\$2~~ \$10;

Entry of an appeal from the District Court, \$25;

Copies, minimum of \$1, for first 500 words if the writing contains that number and 20¢ for each 100 words or fraction thereof in excess of 500 words

Copies, minimum of \$1 for the first page or part thereof and 25¢ for each additional page or part thereof.

Recording the complaint in an action for partition, and any order thereon, at the rate of 25¢ a page of 224 words;

Recording petition and proceedings for release of attachment and making copy of certificate, \$2;

Making certificate of dissolution of attachment by judgment for defendant, 50¢;

Entry of a rule of court upon the parties submitting a cause to referees, ~~25¢~~ 50¢;

Proving a deed in court and certifying the same, \$1;

Making certificate of approval by judge, of sale of real estate and price, when husband or wife refuses to release interest and right by descent, 1;

Authenticating the official signature of a magistrate ~~50¢~~ \$3;

Original or other writ of execution in personal matters and filing the same when returned, ~~50¢~~ \$2;

Writ of possession in real actions, ~~50¢~~ \$2;

Writ of protection or habeas corpus, ~~50¢~~ \$2;

Subpoena for one witness or more or with a duces tecum, ~~10¢~~ 50¢;

Recording certificate of discharge of a soldier or seaman from the army or navy of the United States, 25¢ and for a copy of such record, 25¢;

Recording certificate of registration in veterinary surgery, \$1;

For making up the record in a civil action in which equitable relief is sought, the court may allow a further sum, not exceeding \$1 for the first 500 words if the writing contains that number, and 20¢ for each 100 words or fraction thereof in excess of 500 words, to be taxed by the clerk;

For each certificate or copy of judgment or decree, ~~50¢ for the first page and 25¢ for each additional page other than for divorce~~, \$2, which, together with the fees of the register of deeds for recording such certificate or copy, may be taxed in the costs of a civil action;

For each certificate or copy of judgment of decree of divorce and any incorporated agreements, \$5, which, together with the fees of the register of deeds for recording such certificate or copy, may be taxed in the costs of a civil action;

Warrant to make a partition, \$1;

Process to enforce a lien on personal property, \$2;

Commission to referee, auditor, surveyor or other officer appointed by the court, ~~\$1.50~~ \$2;

Writ of review, \$1;

Every writ and seal other than before-mentioned, \$1;

For filing each warrant for state sales or use tax, \$1;

For every recording, copy, certificate or seal, other than before-mentioned and excepting those designated to be without charge, \$1.

STATEMENT OF FACT

This legislation was proposed as a result of a study by the Subcommittee on County Government of the Legislative Research Committee which found that fees of the office of Clerks of Courts should be increased to reflect increased costs of operation of the various clerks' offices. Many of the fees have not been increased in a number of years although cost of operation of the clerks' offices have been increasing and the additional monies generated will provide much needed financial support for the clerks' offices.