

LEGISLATIVE BILL 739

Approved by the Governor March 13, 1974

Introduced by Judiciary Committee, Luedtke, 28, Chmn.; Stull, 49; Carpenter, 48; Barnett, 26; Fellman, 4; Chambers, 11; DeCamp, 40; Richendifer, 16

AN ACT to amend sections 26-112 and 33-123, Revised Statutes Supplement, 1972, relating to fees; to change the fee for matters in county and municipal courts; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 26-112, Revised Statutes Supplement, 1972, be amended to read as follows:

26-112. The clerk of the municipal court shall charge and receive the following fees:

(1) In civil matters: For any and all services rendered up to and including the judgment or dismissal of the action, ~~where the sum in question is three hundred dollars or less, five dollars, and where the sum in question is over three hundred dollars,~~ ten dollars; for all orders after judgment, including, but not limited to, writs of execution, restitution, garnishment, examination in aid of execution, taking and approving any recognizance or bond, and furnishing transcripts, one dollar each; and

(2) In criminal matters: For any and all services rendered up to and including the judgment or dismissal of the action, and the issuance of mittimus or discharge to the jailer, six dollars; except that in all cases handled by a violations bureau established by the local governing body by ordinance, under the jurisdiction of the municipal court, the court cost shall be as set forth in such ordinance; and for all orders and all services rendered after judgment, including, but not limited to, entries and official acts recorded, furnishing transcripts, and taking and approving any recognizance or bond, one dollar each.

Sec. 2. That section 33-123, Revised Statutes Supplement, 1972, be amended to read as follows:

33-123. The county judge court shall be entitled to the following fees in civil matters: For any and all services rendered up to and including the judgment or

dismissal of the action, ~~when--the--sum--in--question--is three-hundred-dollars-or-less,-five-dollars,-and-when-the sum-in-question-is-over-three-hundred-dollars,~~ ten dollars; for all orders, after judgment, including writs of execution, restitution, garnishment, examination in aid of execution, and taking and approving any recognizance or bond, one dollar each.

Sec. 3. Constables shall be allowed the same fees, including mileage, as are allowed sheriffs for like services.

Sec. 4. That original sections 26-112 and 33-123, Revised Statutes Supplement, 1972, are repealed.