

NOTICE OF SHERIFF AND CONSTABLE FEES

ON THE 27TH DAY OF JUNE, 2022, THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS, *IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS LOCAL GOVERNMENT CODE, SUB CHAPTER F, SECTION 118.131*, SET THE FOLLOWING FEES TO BE CHARGED IN CIVIL MATTERS FOR SERVICE AND UNSUCCESSFUL SERVICE* BY THE OFFICES OF THE SHERIFF AND CONSTABLES OF EL PASO COUNTY, TEXAS, TO BE EFFECTIVE ON **JANUARY 1, 2023**.

CIVIL PROCESS FEES

Citation/Notice By Posting.....	\$75.00	Mental Commitment.....	\$165.00
Citation By Publication.....	\$75.00	Capias/Commitment (from a Civil Suit).....	\$165.00
All Other Citations.....	\$110.00	Warrant to Take Physical Custody of Child...	\$220.00
Temporary Restraining Order.....	\$100.00	Writ of Attachment.....	\$220.00***
Subpoena.....	\$100.00	Writ of Execution.....	\$220.00**†
Subpoena <i>Instanter</i>	\$125.00	Writ of Possession.....	\$220.00**
Notice.....	\$100.00	Writ of Reentry.....	\$220.00**
Precept.....	\$100.00	Writ of Venditioni Exponas.....	\$220.00**
Summons.....	\$100.00	Writ of Sequestration.....	\$220.00**
Writ of Garnishment.....	\$100.00	Tax Warrant.....	\$220.00**
Writ of Injunction.....	\$100.00	Order of Sale.....	\$220.00**
Writ of Supersedeas/Certiorari.....	\$110.00	Turnover Order.....	\$220.00**
Protective Order Applicants fee.....	\$0.00	Distress Warrant.....	\$220.00
<i>Fees from Family Code 81.003.)</i>	\$100.00	Any Other Writ/Order for the enforcement of	
Any other civil document (deliver only).....	\$100.00	a judgment or to Seize Property.....	\$220.00**
Justice Court Summon.....	\$85.00	Executing original deed (purchaser).....	\$55.00
Justice Court Subpoena.....	\$85.00	Executing Bill of Sale (purchaser).....	\$50.00
Justice Court Citation (not F.E.D.).....	\$85.00	Posting Notice of Sale.....	\$30.00
Forcible Entry and Detainer.....	\$100.00	Research Archives for civil case file.....	\$20.00
Small Claims Court Summon.....	\$85.00	Executing replacement Deed unrecorded.....	\$20.00
Small Claims Court Subpoena.....	\$85.00	Executing replacement Bill of Sale unrecorded..	\$20.00
Small Claims Court Citation.....	\$85.00	Executing replacement Proof of Service/Attempted	
Release court ordered impounded vehicle.....	\$26.00	Service/Affidavit for sub-service.....	\$20.00

Additional fees may apply: www.epcounty.com/clerk

OTHER FEES

Transportation Code Chapter 683 & Misc Fees

Admin fee to process each vehicle.....	\$10.00
Admin fee to re-issue receipt.....	\$15.00
Additional storage fee assessed per day.....	\$20.00
Storage fee per day.....	\$20.00
Admin fee to research any case.....	\$20.00
Fingerprint Processing (first card).....	\$15.00
Fingerprint Processing (each additional card).....	\$5.00
Local Criminal History Check.....	\$8.00
Notification Fee.....	\$25.00

Special Events Fees

Application Fee.....	\$75.00
Late Application Fee (less than 30 days prior to event).....	\$150.00

	<u>Hourly Rate Straight</u>	<u>Hourly Rate Overtime</u>
Lieutenant:	\$53.00	\$79.50
Sergeant:	\$49.00	\$73.50
Deputy:	\$40.50	\$61.00

Flat hourly rate per Sheriff's or Constable's vehicle used: **\$25.00**

Vehicles purchased at a Saturday Auction must be picked up by Monday or storage fees will resume. Vehicle storage fees for other vehicles begin the day the vehicle arrives at the impound lot.

- * Pursuant to [Local Government Code Section 118.131](#), and [Attorney General Opinion JM-1046 \(1989\)](#), the expenses for providing services incident to unsuccessful service of process are equal to or exceed the expenses of actual service and the fee is thus set at the same cost charged for actual service.
- ** All writs and/or orders involving the seizure of property, sale of property or the enforcement of a judgment which exceeds three (3) hours in the execution or enforcement of such writ/order will be assessed an additional fee of **\$45.00 per hour per** officer for each hour or portion thereof. A minimum of two (2) officers will be required during the execution or enforcement.

Pursuant to rule 126 of the [TEXAS RULES OF COURT](#), all fees for any/all civil cases originating outside the County of El Paso, and/or the State of Texas must be collected *in advance* except when Paupers Oath is filed. The Sheriff or Constable will not execute any process until fees are received.

- *** All expenses associated with the delivery of a person out of county will be charged to the party sending the writ/or order. These expenses may include, but are not limited to the cost of travel, cost per officer per hour, per diem, lodging, etc. An estimate of these expenses will be provided to the party prior to servicing the writ and/or order, and payment will be required prior to service.

† Writs of Execution with multiple defendants will be assessed a fee Per Defendant.

BY ORDER OF THE COMMISSIONERS COURT OF EL PASO COUNTY

RICARDO A. SAMANIEGO
COUNTY JUDGE

Fingerprint Processing, first card only, increase by \$5.00 from \$10.00 to \$15.00

Local Criminal history Check increase by \$2.00 from \$6.00 to \$8.00
Special Events Fees

Fingerprint Processing (first card).....\$15.00

Local Criminal History Check.....\$8.00

There have been no changes to fingerprint processing since 2015.
Criminal History checks have been at \$6.00 since at least 2013.
Increases are needed to offset increased operational costs.

Special Events Fees

The application fee will increase \$15.00 and late application fee will increase by \$30.00

Application Fee.....\$75.00

Late Application Fee (less than 30 days prior to event)..... \$150.00

There have been no increases to Special event fees since its inception. The increases will offset the cost of labor in researching the needs of special events to ensure proper public safety needs are addressed.

Changes to the rate of pay for personnel under Special Events

	Hourly Rate Straight	Hourly Rate Overtime
Lieutenant:	\$53.00	\$79.50
Sergeant	\$49.00	\$73.50
Deputy:	\$40.50	\$61.00

The changes to hourly and overtime rates are adjusted based on collective bargaining rates of pay for El Paso County Sheriff's Deputies. The rates are also consistent with the rate of pay for El Paso County Deputy Constables

Flat hourly rate per Sheriff's or Constable's vehicle used: \$25.00

The \$5.00 per hour increase is due to the increased costs related to the operation and use of units.

Changes are highlighted on fee schedule attached.

There are no further recommended changes to the fee schedule.

EL PASO COUNTY SHERIFF'S OFFICE
INTEROFFICE MEMORANDUM

DATE: June 21, 2022

TO: Sheriff Richard D. Wiles *Richard Wiles 6.21.22*

THROUGH: Lt. J. Favela, Commander R. Rojas, Executive Chief Deputy S. Aguilar *JF RR S. Aguilar*

FROM: Sgt. C. Paz *C. Paz*

SUBJECT: 2023 Notice of Sheriff and Constable Fees

Texas Local Government Code Section 118.131 requires that Commissioners Court set fees before October 1 of each year to be effective January 1 of the following year.

In compliance with this statute, I have consulted with El Paso County Constables. We reviewed the 2022 Sheriff's and Constable's Fee report, produced by the Texas Comptroller of Public Accounts, to ensure consistency with other comparable Texas Counties.

The recommended additions or changes to other fees attached to this scheduled are detailed below.

Changes to the fee for the following will be raised by \$20.00 per document:

- Justice Court Summon\$85.00
- Justice Court Subpoena.....\$85.00
- Justice Court Citation (not F.E.D.)\$85.00
- Small Claims Court Summon\$85.00
- Small Claims Court Subpoena.....\$85.00
- Small Claims Court Citation.....\$85.00

The increases are designed to bring the fees, out of Justice Courts documents, more in line with other court documents in El Paso County.