

Reported Recommending .....  
Ind. Postponed .....  
Passed House .....  
Failed to Pass House .....  
Passed Senate .....  
Failed to Pass Senate .....

**House File 121**

January 27, 1947.  
County and Township Affairs.

By SCHWENGEL and HEDIN.

## **A BILL FOR**

An Act to amend the provisions of chapter six hundred six (606), Code 1946, to change the fees to be charged by the clerk of the district court and to provide for the payment of a flat fee in certain cases.

*Be It Enacted by the General Assembly of the State of Iowa:*

- 1 Section 1. Section six hundred six point fifteen  
2 (606.15), Code 1946 is hereby repealed and the following  
3 enacted in lieu thereof:
- 4 In all actions at law or in equity, including actions of  
5 partition, actions to quiet title and actions for the fore  
6 closure of mortgages or liens, appeals or writs of error,  
7 actions of mandamus, certiorari, and all special proceedings  
8 not otherwise specified in this act and in proceedings for  
9 adoption in the district court, there shall be paid to the  
10 clerk of the district court by the plaintiff or petitioner  
11 a filing fee of ten dollars (\$10.00), which fee shall be  
12 in lieu of all fees, except those hereinafter provided for.
- 1 Sec. 2. In addition to, or in lieu of the filing fee,  
2 as the case may be, the clerk shall collect from the party  
3 seeking or requiring the service and pay into the county  
4 treasury the following fees:

- 5 (a) For each writ of injunction or attachment other  
6 than the first and for each writ of general execution,  
7 one dollar, (\$1.00)
- 8 (b) For each special execution one dollar and fifty cents  
9 (\$1.50) for issuance and one dollar and fifty cents (\$1.50)  
10 for recording.
- 11 (c) For filing and properly entering and indorsing each  
12 mechanic's lien, one dollar and fifty cents (\$1.50), the  
13 same to be taxed as costs in any suit brought thereon.
- 14 (d) For certificate and seal, except to applications to  
15 procedure pensions, bounties, or back pay for soldiers or  
16 other persons entitled thereto, seventy-five cents (75c).
- 17 (e) For filing and docketing transcript or judgment  
18 from another county or justice of the peace or municipal  
19 court, not in connection with an appeal therefrom, one  
20 dollar and fifty cents (\$1.50).
- 21 (f) For issuing a commission to take depositions, one  
22 dollar (\$1.00)
- 23 (g) For entering judgment by confession without action,  
24 one dollar and fifty cents (\$1.50).
- 25 (h) For all copies of records or papers filed in his  
26 office and for making complete records in cases where  
27 the same is required by law or directed by an order of  
28 the court and for making out transcripts in criminal cases  
29 appealed to the supreme court, fifty cents (50c) per legal  
30 size page of double space typing, or any fraction thereof.

31 (i) For taking and approving a bond or sureties thereon,  
32 fifty cents (50c).  
33 (j) For issuing marriage licenses, three dollars (\$3.00).  
34 (k) For all services performed in the settlement of  
35 any decedent, minor, insane person, or other persons  
36 laboring under any legal disability, except where actions  
37 are brought by the administrator, guardian, trustee, or  
38 person acting in a representative capacity or against him,  
39 or as may be otherwise provided herein, where the value  
40 of the property of the estate does not exceed three thousand  
41 dollars (\$3,000.00), three dollars, (\$3.00); where such  
42 value is between three thousand dollars, (\$3,000.00) and  
43 five thousand dollars (\$5,000.00), five dollars (\$5.00);  
44 where such value is between five thousand dollars (\$5,000.00)  
45 and seven thousand dollars (\$7,000.00), eight dollars (\$8.00);  
46 where such value is between seven thousand dollars  
47 (\$7,000.00) and ten thousand dollars (\$10,000.00), ten  
48 dollars (\$10.00); where such value is between ten thousand  
49 dollars (\$10,000.00) and twenty-five thousand dollars  
50 (\$25,000.00), fifteen dollars (\$15.00); for each additional  
51 twenty-five thousand dollars (\$25,000.00) or major fraction  
52 thereof, there shall be taxed the further sum of ten dollars  
53 (\$10.00).

EXPLANATION OF H. F. 121

A bill to simplify and increase slightly the fees charged in the office of the clerk of the district court.

(This bill should make the clerk's office self sustaining in most counties and produce revenue for some increase in salaries needed.)

This bill prepared by Wayne G. Cook, Chairman of the Advisory Committee of Iowa Rules of Civil Procedure.