| **Title:** Regulatory Policy<br>Service of Process | **Policy No.**<br>Part 3, Regulations<br>Chapter 7, Fees<br>Section 1 |
|---|---|
| | **Effective Date**<br>January 1, 2011 |
| **Policy Custodian**<br>Sheriff | **Adoption/Revision Date**<br>December 14, 2010 |

**Adopting Resolution(s):** CC10-497

**References (Statutes /Resos/Policies):** §30-1-104 (1) (h.5) (I) and (II), 30-1-105.5 (1) and (2), 30-1-105.5, 30-1-106, 30-1-116, 30-1-1-8, 30-11-107 (1) (t) C.R.S.; 26 U.S.C. Sec. 162

**Purpose:** To set the rates that a Sheriff may charge for mileage relating to the service of process.

**Policy:** Service of Process

A. Fees

The Sheriff or his/her designated representatives shall collect fees relating to the service of process for serving and returning various writs and processes and performing other duties under state law such fees shall be fixed by the Sheriff as permitted by statute.

In determining the appropriate fee for mileage, the Sheriff shall calculate the mileage as follows:

1. Criminal Action

   Mileage for each mile actually and necessarily traveled in serving each writ, subpoena or other process in a criminal action: the maximum mileage allowance provided for state officers and employees under § 24-9-104, CRS, i.e. ninety percent of the prevailing internal revenue service mileage reimbursement rate to the nearest cent.

2. An Action Other Than a Criminal Action

   a. Mileage traveled in serving each writ, subpoena, or other process in an action other than a criminal action shall be based upon the Jefferson County Sheriff's Office Zip Code-Based Mileage Fee Structure. Mileage shall be charged at the mileage rate authorized for County officials and employees pursuant to § 30-11-107(1)(t), CRS, as amended, i.e., the standard mileage rate allowed pursuant to 26 U.S.C. sec. 162, as amended, and regulations promulgated thereunder.

      1) "Zone Based" mileage fees for the service of civil process by Sheriff's deputies shall be based on roundtrip mileage from the Jefferson County Sheriff's Office, 200 Jefferson County Parkway, Golden, Colorado, to a point in each of the zip codes within the Sheriff's Office's jurisdiction.

      2) The fee assessed will be calculated based upon the round trip mileage established for the address where the paper is to be served in the applicable zip code, multiplied by the current mileage rate set pursuant to 30-11-107(1)(t), C.R.S., as amended. This is regardless of the number of attempts made, or the actual number of miles traveled by the deputy in effecting service per operational period, for that day. It is the customer's responsibility to inform the Sheriff's Office Civil Section of the number of days to be attempted for each paper to be served.

| Zip Code-Based Mileage Fee Structure | | | | |
|---|---|---|---|---|
| ZIP CODE | ROUND TRIP MILEAGE | | ZIP CODE | ROUND TRIP MILEAGE |
| 80002 | 14 | | 80215 | 11 |
| 80003 | 20 | | 80225 | 9 |
| 80004 | 15 | | 80226 | 12 |
| 80005 | 18 | | 80227 | 14 |
| 80007 | 18 | | 80228 | 9 |
| 80020 | 28 | | 80232 | 13 |
| 80021 | 24 | | 80235 | 16 |
| 80030 | 24 | | 80401 | 7 |
| 80031 | 24 | | 80403 | 18 |
| 80033 | 13 | | 80419 | 0 |
| 80123 | 22 | | 80433 | 33 |
| 80127 | 29 | | 80439 | 19 |
| 80128 | 27 | | 80453 | 11 |
| 80135 | 73 | | 80454 | 15 |
| 80195 | 29 | | 80457 | 15 |
| 80212 | 17 | | 80465 | 18 |
| 80214 | 15 | | 80470 | 53 |

3. Two or More Papers Served on the Same Person or Different Persons at the Same Time and Place in Same Action

   In situations when two or more papers are served on the same person or different persons at the same time and place and in the same action, the Sheriff shall charge the highest individual fee allowable pursuant to § 30-1-104, C.R.S. for the first process and an additional ten dollars ($10.00) for each subsequent process served. The Sheriff shall charge the single zip code-based mileage fee for the first process.

B. Billing Accounts:

Pursuant to § 30-1-106(2) and (3), C.R.S., as amended, the Jefferson County Sheriff's Office has the authority to establish billing accounts for licensed attorneys and licensed collection agencies that have a principal office located in the state of Colorado. The Sheriff's Office Civil Section has the authority to develop standardized procedures for billing the accounts authorized herein, including the ability to suspend the billing privileges of any entity for nonpayment of a fee upon demand or other good cause shown.