

LEGISLATIVE BILL 84

Approved by the Governor April 3, 1981

Introduced by Stoney, 4

AN ACT to amend section 33-106, Reissue Revised Statutes of Nebraska, 1943, relating to fees; to change certain fees; and to repeal the original section.

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

Section 1. That section 33-106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

33-106. In addition to the judges retirement fund fee and except as otherwise provided by law, the fees of the clerk of the district court shall be as follows: There shall be a docket fee of thirty-five dollars for each civil and criminal case except (1) a case commenced by filing a transcript of judgment as hereinafter provided; (2) proceedings under the Workmen's Compensation Law and the Employment Security Law, where provision is made for the fees that may be charged; and (3) a criminal case appealed to the district court from any court inferior thereto as hereinafter provided. There shall be a docket fee of ~~ten~~ twenty-five dollars for each case commenced by filing a transcript of judgment from another court in this state for the purpose of obtaining a lien. There shall be a docket fee of twenty-five dollars for each criminal case appealed to the district court from any court inferior thereto. In all cases, other than those appealed from an inferior court or original filings which are within jurisdictional limits of an inferior court and where a jury is demanded in district court, the docket fee shall cover all fees of said clerk except that said clerk shall be paid for each copy or transcript ordered of any pleading, record, or other paper, and that said clerk shall be entitled to a fee of fifteen dollars for making a complete record of a case, said fee to be taxed as a part of the costs of the case, except when expressly waived by the parties to the action. In all civil cases, except habeas corpus cases wherein a poverty affidavit is filed and approved by the court, and for all other services, the docket fee or other fee shall be paid by the party filing the case or requesting the service at the time the case is filed or the service requested. For any other service which may be rendered or performed by said clerk but which is not required in the discharge of his or her official duties, the fee shall be the same as that of a notary public but in no case less than one dollar.

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Sec. 2. That original section 33-106, Reissue
Revised Statutes of Nebraska, 1943, is repealed.