

Act No. 182  
Public Acts of 1979  
Approved by Governor  
December 19, 1979

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11/19/79

**STATE OF MICHIGAN  
80TH LEGISLATURE  
REGULAR SESSION OF 1979**

Introduced by Reps. Kirksey, Griffin, Fessler, Thomas H. Brown, Virgil C. Smith, Andrews and Brotherton

**ENROLLED HOUSE BILL No. 4153**

AN ACT to amend Act No. 236 of the Public Acts of 1961, entitled as amended "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of such courts, and of the judges and other officers thereof; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in said courts; pleading, evidence, practice and procedure in civil and criminal actions and proceedings in said courts; to provide remedies and penalties for the violation of certain provisions of this act; and to repeal all acts and parts of acts inconsistent with, or contravening any of the provisions of this act," as amended, being sections 600.101 to 600.9939 of the Compiled Laws of 1970, by adding section 8326.

*The People of the State of Michigan enact:*

Section 1. Act No. 236 of the Public Acts of 1961, as amended, being sections 600.101 to 600.9939 of the Compiled Laws of 1970, is amended by adding section 8326 to read as follows:

Sec. 8326. (1) The following schedule shall apply as fees for process served out of the district court:

- (a) For personal service of a summons and complaint in a civil action, including summary proceedings under chapter 57, for each defendant, \$8.00 plus mileage.
- (b) For personal service of an affidavit of account and statement, for each defendant, \$8.00 plus mileage.
- (c) For a summons and affidavit in garnishment, for each garnishee and defendant, \$5.00 plus mileage.
- (d) For a summons and complaint in a case of claim and delivery, for each defendant, \$8.00 plus mileage.
- (e) For affidavit and bond in a case of claim and delivery, \$2.00.
- (f) For seizure and delivery of goods in a case of claim and delivery, \$14.00 plus mileage, plus the necessary and reasonable expense of taking, keeping, and delivery.
- (g) For receiving and filing a bond from or on behalf of a defendant in a case of claim and delivery, \$2.00.
- (h) For an order to show cause, \$8.00 plus mileage.
- (i) For a subpoena on discovery, \$8.00 plus mileage.
- (j) For a writ, affidavit, and bond in a case of attachment, \$8.00 plus mileage.
- (k) For the seizure of property in a case of attachment, \$14.00 plus mileage, plus the necessary and reasonable expense for taking and keeping the property.

(l) For levy under a writ of execution, \$14.00 plus mileage, plus the necessary and reasonable expense for taking, keeping, and sale.

(m) For sale on levy in a case of execution, 7% of the first \$1,000.00 in receipts and 3% of any receipts exceeding the first \$1,000.00.

(n) For a writ for the restitution of premises pursuant to chapter 57, \$14.00 plus mileage, plus the necessary and reasonable expense for moving property out of the premises.

(o) For a subpoena directed to a witness, including a judgment debtor, \$8.00 plus mileage.

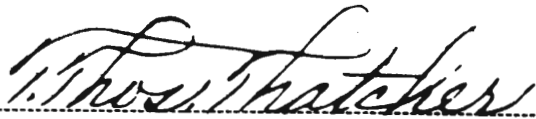
(p) For a civil bench warrant or body execution, \$14.00 plus mileage, plus \$10.00 per hour for the amount of time, if any, involved in executing the warrant.

(2) Mileage allowed under subsection (1) shall be determined as follows:

(a) For service within the district, 20 cents per mile each way from the place of service to the place of return, computed by the shortest distance.

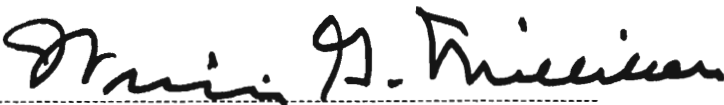
(b) For service in another district, 20 cents per mile each way from the place of service to the place of the court in that district, computed by the shortest distance.

This act is ordered to take immediate effect.

  
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Clerk of the House of Representatives.

  
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Acting Secretary of the Senate.

Approved.....

  
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Governor.

