

CONSTABLE PAYMENT REQUESTS

Quick Reference Guide to Support Local Judicial Districts

AOPC

**Administrative Office of Pennsylvania Courts
Judicial District Operations and Programs Department**

Version 1.0

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I. SCOPE AND PURPOSE

i. Scope

This quick reference guide is provided to assist local judicial districts with the development, coordination, and use of local constable “payment sheets.”

ii. Purpose

To help ensure uniformity and efficiency in the submission, review, and payment of constable fees within judicial districts across the Commonwealth, the *UJS Constable Policies, Procedures, and Standards of Conduct* requires that “each court of common pleas must develop or adopt a form (“payment sheet”) to be used by all constables seeking payment for the performance of judicial duties.”

iii. Authority

Pa.R.J.A. No. 1907.2(a) provides that the Court Administrator of Pennsylvania shall establish uniform policies, procedures, and standards of conduct for constables who perform services for the courts. The *UJS Constable Policies, Procedures, and Standards of Conduct*, otherwise referred to as the “Constable Manual,” outlines those procedures.

44 Pa.C.S. §§ 7161 and 7161.1 outlines constable fees, services, and payment requirements.

For the Pennsylvania Rules of Court, see: *Rules of Criminal Procedure* and *Rules of Procedure Governing Civil Actions and Procedures Before Magisterial District Judges*

iv. Support

If you need assistance, please don’t hesitate to contact Andy Simpson, AOPC - Judicial Programs Administrator, at 717-231-3300 ext. 3824 or Andrew.Simpson@pacourts.us

II. DEVELOPING YOUR CONSTABLE PAYMENT SHEET

Two sample “Constable Service - Payment Request” sheets are attached to support judicial districts with developing and adopting local constable payment sheets; one for civil and landlord tenant matters and one for criminal and summary cases. Please create and modify as needed.

Constable payment sheets must contain, at a minimum, the following:

- 1) defendant's name;
- 2) docket and/or OTN number;
- 3) statutorily authorized fees requested;
- 4) signature of the constable/deputy constable who is submitting the document; and
- 5) signature of the judicial authority who authorized the services to be performed.

III. COORDINATION AND IMPLEMENTATION

In consultation with the president judge, it is recommended that the district court administrator or minor court administrator meet with the magisterial district judges, staff, constables, county controller, and other county executives responsible for county fiscal operations to discuss the development, adoption, or modification of constable payment request sheet(s). The following discussion points are suggested.

i. Payment Sheet Submission - Requirement

The submission of constable payment request sheets are required for all constables seeking payment for judicial duties performed pursuant to Pa.R.J.A. No. 1907.2 and the *UJS Constable Policies, Procedures, and Standards of Conduct*. Constables cannot be paid until the payment request sheets are completed, signed by the constable, and submitted to the magisterial district court for review and signature from the magisterial district judge.

ii. Magisterial District Judge Signature of Authorization

The magisterial district judge's signature on the bottom of the payment request sheet indicates that he/she authorized the judicial duties to be performed and that he/she is satisfied that the service paperwork (i.e., warrant return, service of process, receipt, etc.) was completed and submitted to the court as appropriate. By signing, the magisterial district judge is NOT attesting to the nature or quality of the work performed by the constable.

iii. Server Fees Assessed in the MDJS

Server fees should not be assigned to a specific constable in the Magisterial District Judge System (MDJS) until after the work is performed, court paperwork is returned as appropriate, payment sheet is submitted and signed by constable and MDJ. This will help ensure constables are not erroneously paid too early.

iv. Payment to Constables

Constables must be paid timely for their judicial work pursuant to the applicable authority. 44 Pa.C.S. §§ 7161 provides that *"All civil, landlord-tenant and criminal fees shall be paid by the court to the constable as soon as possible and in no case not more than **15 days in civil and landlord-tenant cases and 30 days in criminal cases** after the service is performed and a proper request for payment is submitted, provided*

that, in criminal cases where the books and accounts of the relevant county offices are payable on a monthly basis, payment shall be made not more than 15 days after the close of the month.”

Payment is provided to the constable directly by the magisterial district court, the county treasurer’s department, or some combination thereof. The local judicial district should have a uniform policy for the payment constables.

v. Local Procedures

Local policies, procedures, and/or instructions related to the judicial duties performed, constable fees, and payment requests should be addressed with the magisterial district judges and constables. This might include addressing the complexities and nuisances related to the interpretation and application of the constable fee bill or the process of constable (server) fees referred from the magisterial district court to the county for payment.

vi. Disputes

Each judicial district should have a process in place to address disputes regarding a constable’s performance of judicial duties. This could include the President Judge reviewing the claims independently, referring the matters to the locally established Constable Review Board (CRB), or some combination thereof. Financial disputes may also be referred to the county executive branch. See: *UJS - Constable Policies, Procedures, and Standards of Conduct, Section I. Administration, and B. Constable Review Board.*

IV. PAYMENT SHEET REVIEW – CRIMINAL & SUMMARY

Upon completion of judicial duties authorized by the magisterial district judge, the constable is required to submit all appropriate service paperwork and a request for payment (“payment sheet”) before being paid. A flowchart, Attachment 3: *Constable Service Fees – Magisterial District Courts*, details the constable services and payment process. The flowchart is also available in the President Judge Desk Book.

The sample payment request sheet, “Constable Service - Payment Request (Summary/Criminal),” is provided in an editable format allowing for modification and redesign.

The following details the fields that are completed on the sample payment request sheet.

SECTION 1: CONSTABLE INFORMATION

This section of the payment sheet identifies the constable(s) for verification and correspondence purposes.

i. Name, PCCD Certification Number, Phone Number, Fax, Email, and Address

As a time-saver, this information could be pre-populated on the payment sheet.

ii. 2nd Constable Used

If “YES” is checked, the name of the second constable should be provided. This information will be of assistance if any additional payment requests are received.

44 Pa.C.S. §§ 7161 (c) provides: “*A constable or deputy constable when he is transporting a prisoner, serving a felony or misdemeanor warrant or serving a warrant on a juvenile or defendant of the opposite sex may, at his discretion, be accompanied by a second constable or deputy constable who is certified under section 7147 (relating to automatic certification) to perform judicial duties. In those cases, each officer shall receive the fee set out in this section. In all other civil, landlord-tenant and summary criminal cases, the issuing authority may authorize payment to a second officer.*”

SECTION 2: CASE INFORMATION

All case information should be completed as appropriate. Information that remains static (i.e., judge name, court, etc.) could be pre-populated on a template to serve as a time-saver.

i. Defendant's Name

The name as recorded in the court paperwork.

ii. Gender

The gender should be completed, if known as a second constable may be necessary for warrant service or transports if the defendant is of the opposite sex.

iii. Juvenile

A second constable may be necessary for warrant service or transports if the defendant is a juvenile.

iv. Address

The address as it appears in the court paperwork.

v. Docket Number(s)

The docket number as it appears in the court paperwork.

vi. Warrant Number(s)

The warrant number(s) as it appears in the court paperwork.

vii. Date Received

The date that the constable received the warrant from the court.

viii. Date Returned

The date the constable returned the warrant to the court.

The AOPC recommends that those in possession of warrants be notified to return warrants that have not been served. Outstanding warrants on summary cases should be returned to the Magisterial District Court within 120 days. In some instances, returned warrants have been recorded as "Returned Unserved" when the server has exhausted all means of finding the defendant. Warrants recorded as "Returned Unserved" stay active

in the state-wide system for the specific participant record. Alternatively, and as directed by the magisterial district judge, returned warrants are at times cancelled and new warrants issued as appropriate. The 120 days is provided as a maximum recommended timeframe for the return and review of outstanding summary warrants. Stricter timeframes (i.e., 60 days) can continue to be followed locally.

ix. Amount \$ Collected from Defendant

The total amount of money collected by the constable from the defendant.

x. Receipt provided to the DEF and a copy, signed by the DEF and you (constable), provided to the court?

If money is collected, Pa.R.Crim.P 431 (B) (2) requires a receipt be provided to the defendant and a copy of the receipt be submitted to the magisterial district court office when the constable collects payment when serving warrants in the field.

xi. Magisterial District Court

The magisterial district court number.

xii. Magisterial District Judge

The judge's name for whom the services were performed.

SECTION 3: SERVICES & FEES REQUESTED

The constable should indicate the service(s) performed by checking the appropriate box(es), list the date of the service(s), include the total amount requested for each service, and calculate the final total. For a listing of the criminal/summary service fees, see 44 Pa.C.S. §§ 7161 (g). Language from the authority are listed in the descriptions below.

i. Execute warrant*

“For executing each warrant of arrest or for effectuating the payment of fines and costs by attempting to execute each warrant of arrest, \$25 for each docket number...plus mileage”

ii. Effectuate payment by attempt to execute warrant*

“For executing each warrant of arrest or for effectuating the payment of fines and costs by attempting to execute each warrant of arrest, \$25 for each docket number...plus mileage”

NOTE: There are often questions regarding the interpretation and application of “*effectuating the payment of fines and costs by attempting to execute each warrant.*” To ensure consistency within the judicial district, key personnel (i.e., constables, judges, court administrators, county controller, etc.) are encouraged to meet and discuss matters of this nature.

iii. Return of service for warrant

For every warrant returned, the constable can request “*\$2.50 for each return of service.*”

iv. Taking custody of the defendant

“For taking custody of a defendant, \$5 per defendant.”

v. Conveyance of the defendant to or from court

“For conveyance of defendant to or from court, \$5 per defendant.”

vi. Attendance at arraignment or hearing

“For attendance at arraignment or hearing, \$13”

vii. Execute discharge

“For executing discharge, \$5 per defendant”

viii. Executing commitment

“For executing commitment, \$5 per defendant.”

ix. Executing release

“For executing release, \$5 per defendant.”

x. Returns to court

“For making returns to the court, \$2.50.”

xi. Transport nonincarcerated defendant to jail*

“Transporting each nonincarcerated defendant to jail, \$17, plus mileage”

xii. Transport prisoner*

“Transporting an incarcerated prisoner, \$38 per prisoner. An hourly rate of \$13 per hour, plus mileage. Computation of hourly rate will apply after the expiration of the first hour per prisoner per hour, not to exceed \$26 per hour per constable.”

xiii. Conveying defendants for fingerprinting*

“For conveying defendants for fingerprinting, \$17 per defendant, plus \$13 per hour beyond the first hour per defendant per hour, not to exceed \$26 per hour per constable, plus mileage.” If appropriate, the constable should include the number of hours beyond the first hour in the space provided and calculate the amount into the total.

xiv. Holding defendants the office

For holding one or more defendants at the office of a magisterial district judge, \$13 per hour per defendant beyond the first half hour.” If appropriate, the constable should include the number of hours beyond the first ½ hour in the space provided and calculate the amount into the total.

xv. Courtroom security

“For courtroom security as ordered, \$13 per hour, assessed against one or more parties as determined by the court.” If appropriate, the constable should include the number of hours beyond the first hour in the space provided and calculate the amount into the total.

xvi. Serve subpoena

“For serving district court-issued subpoena for civil, landlord-tenant or criminal matters, \$13 for first witness, plus \$5 for each additional witness at the same address...”

xvii. Return of service of subpoena

“...\$2.50 return of service for each subpoena...”

xviii. *Mileage at the highest rate per mile allowed by the IRS

“Actual mileage for travel by motor vehicle shall be reimbursed at a rate equal to the highest rate allowed by the Internal Revenue Service. If travel occurs by a mode other than motor vehicle, reimbursement shall be for the vouchered travel expenses.” The constable should list the number of miles driven and multiply by the current IRS rate (\$.545/mile in 2018) to calculate the total mileage reimbursement amount.

*Services marked with an asterisks are eligible for mileage reimbursement.

xix. TOTAL AMOUNT REQUESTED

The constable should add up the totals for each service in the column and record the final total.

SECTION 4: VERIFICATION

Signatures at the bottom of the form are necessary to process payment.

i. Constable Signature

The constable submitting the request must sign the payment sheet attesting that the work was performed in accordance with applicable authority.

Example language provided: *“I am requesting payment for my performance of judicial duties that were authorized by the issuing authority in accordance to 44 Pa.C.S. § 7161 and § 7161.1. I hereby verify that the information above is correct. I understand that if this information is falsified, I could face penalties including, but not limited to, suspension from performing judicial duties in this judicial district. Additionally, I understand that if I have questions or disputes related to my payment and services, I will follow local procedure prescribed by the President Judge.”*

ii. Magisterial District Judge Signature

The magisterial district judge’s signature on the bottom of the payment request sheet indicates that he/she authorized the judicial duties to be performed and that he/she is satisfied that the service paperwork (i.e., warrant return, service of process, receipt, etc.) was completed and submitted to the court as appropriate. By signing, the magisterial district judge is NOT attesting to the nature or quality of the work performed by the constable.

V. PAYMENT REQUEST REVIEW – CIVIL/LANDLORD TENANT

Upon completion of judicial duties as authorized by the magisterial district judge, the constable is required to submit all appropriate service paperwork and a request for payment (“payment sheet”) before payment can be made to the constable. For a flowchart detailing the constable services and payment process, see Attachment 1: *Constable Service Fees – Magisterial District Courts*. The flowchart is also available in the President Judge Desk Book.

The sample “Constable Service - Payment Request (Summary/Criminal)” is provided in an editable format allowing for modification and redesign. The fillable form also allows the constable to complete the payment request electronically if he/she so chooses.

The following details the fields that are completed on the sample payment request sheet.

SECTION 1: CONSTABLE INFORMATION

This section of the payment sheet identifies the constable(s) for verification and correspondence purposes.

i. Name, PCCD Certification Number, Phone Number, Fax, Email, and Address

As a time-saver, this information could be pre-populated on the payment sheet.

ii. 2nd Constable Used

If “YES” is checked, the name of the second constable should be provided. This information will be of assistance if any additional payment requests are received.

44 Pa.C.S. §§ 7161 (c) provides: *“A constable or deputy constable when he is transporting a prisoner, serving a felony or misdemeanor warrant or serving a warrant on a juvenile or defendant of the opposite sex may, at his discretion, be accompanied by a second constable or deputy constable who is certified under section 7147 (relating to automatic certification) to perform judicial duties. In those cases, each officer shall receive the fee set out in this section. In all other civil, landlord-tenant and summary criminal cases, the issuing authority may authorize payment to a second officer.”*

SECTION 2: CASE INFORMATION

All case information should be completed as appropriate. Information that remains constant (i.e., judge name, court, etc.) could be pre-populated on a template to serve as a time-saver.

i. Plaintiff's Name

The name as recorded in the court paperwork.

ii. Defendant's Name

The name as recorded in the court paperwork.

iii. Docket Number(s)

The docket number as it appears in the court paperwork.

iv. Was documentation of service completed and provided to MDC?

This question serves as a reminder for the constable to submit the additional paperwork (i.e. service of process). The expected answer is YES.

v. Magisterial District Court

The magisterial district court number.

vi. Magisterial District Judge

The judge's name for whom the services were performed.

SECTION 3: SERVICES & FEES REQUESTED

Information on the payment request sheet should be completed pursuant to applicable authority. On the sample sheet, the services performed are indicated by checking the service, listing the date of the service, and including the total amount requested for that particular service. Language from 44 Pa.C.S. §§ 7161 is provided for each fee.

i. Serving complaint, summons, or notice*

For serving complaint, summons or notice on suitor or tenant, either personally or by leaving a copy, \$13, plus \$5 for each additional defendant at the same address, \$2.50 for each return of service, plus mileage.

ii. Levying goods, including schedule of property levied upon & set aside, notice of levy & return of service*

For levying goods, including schedule of property levied upon and set aside, notice of levy and return of service, \$75, plus mileage.”

iii. Advertising personal property for public sale*

For advertising personal property for public sale, \$7 per posting, with a maximum \$21 fee, plus mileage, plus the cost of advertising.

iv. Selling goods levied, receipts and returns to court*

“For selling goods levied, receipts and returns to court, \$85, plus mileage.”

v. For making returns of not found*

“For making any return of service other than not found, \$2.50 each.

vi. Executing order of possession*

“For executing order of possession, \$13, plus \$5 for each additional defendant at the same address, \$2.50 for each return of service, plus mileage.”

vii. Ejectment*

“For ejectment, \$90, \$2.50 for each return of service, plus mileage.”

viii. Return of service (other than not found)

“For executing commitment, \$5 per defendant.”

ix. Courtroom security

“For courtroom security as ordered, \$13 per hour, assessed against one or more parties as determined by the court.”

x. Serve subpoena*

“For serving district court-issued subpoena for civil, landlord-tenant or criminal matters, \$13 for first witness, plus \$5 for each additional witness at the same address, plus mileage”

xi. Return of service of subpoena

“...\$2.50 return of service for each subpoena...”

xii. *Mileage at the highest rate per mile allowed by the IRS

“Actual mileage for travel by motor vehicle shall be reimbursed at a rate equal to the highest rate allowed by the Internal Revenue Service. If travel occurs by a mode other than motor vehicle, reimbursement shall be for the vouchered travel expenses.”

xiii. TOTAL AMOUNT REQUESTED

The constable should add up the totals for each service and record the final total.

SECTION 4: VERIFICATION

Signatures at the bottom of the form are necessary to process payment.

i. Constable Signature

The constable submitting the request must sign the payment sheet attesting that the work was performed in accordance with applicable authority.

Example language provided: *“I am requesting payment for my performance of judicial duties that were authorized by the issuing authority in accordance to 44 Pa.C.S. § 7161 and § 7161.1. I hereby verify that the information above is correct. I understand that if this information is falsified, I could face penalties including, but not limited to, suspension from performing judicial duties in this judicial district. Additionally, I understand that if I have questions or disputes related to my payment and services, I will follow local procedure prescribed by the President Judge.”*

ii. Magisterial District Judge Signature

The magisterial district judge’s signature on the bottom of the payment request sheet indicates that he/she authorized the judicial duties to be performed and that he/she is satisfied that the service paperwork (i.e., warrant return, service of process, receipt, etc.) was completed and submitted to the court as appropriate. By signing, the magisterial district judge is NOT attesting to the nature or quality of the work performed by the constable.

VI. RESOURCES

- Pa.R.J.A. No. 1907.2(a) provides that the Court Administrator of Pennsylvania shall establish uniform policies, procedures, and standards of conduct for constables who perform services for the courts. The *UJS Constable Policies, Procedures, and Standards of Conduct*, otherwise referred to as the “Constable Manual,” outlines those procedures.
- 44 Pa.C.S. §§ 7161 and 7161.1 outlines constable fees, services, and payment requirements.
- For the Pennsylvania Rules of Court - *Rules of Criminal Procedure* and *Rules of Procedure Governing Civil Actions and Procedures Before Magisterial District Judges*
- *President Judge Desk Book, Chapter IX. Miscellaneous, Section D. Constables*, provides tips and strategies regarding the use of constables in the judicial districts.
- Constables' Education and Training Board through the Pennsylvania Commission on Crime and Delinquency (PCCD) trains and certifies constables and deputy constables.

VII. ATTACHMENTS

- Attachment 1: Sample Payment Sheet – Criminal/Summary
- Attachment 2: Sample Payment Sheet – Civil & Landlord Tenant
- Attachment 3: Flowchart - *Constable Service Fees – Magisterial District Courts*
- Attachment 4: *Server Fee Breakdown* – resource for MDJS users. This resource is also accessible in the MDJS under HELP.

CONSTABLE SERVICE – PAYMENT REQUEST (SUMMARY/CRIMINAL)

Constable Information				
Name of Constable:			Certification Number:	
Phone:		Fax:	Email:	
Address: <small>Street</small>		<small>City</small>	<small>State</small>	<small>Zip Code</small>
2 nd Constable Used? <input type="checkbox"/> Yes <input type="checkbox"/> No <small>See: 44 Pa.C.S. § 7161(c)</small>		Name of 2 nd Constable:		
Case Information				
Defendant's (DEF) Name:		Gender: <input type="checkbox"/> Male <input type="checkbox"/> Female	Juvenile: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Address: <small>Street</small>		<small>City</small>	<small>State</small>	<small>Zip Code</small>
Docket Number(s):				
Warrant Number(s):			Amount \$ Collected from Defendant (DEF):	
Date Received:		Date Returned: <small>Return warrants within 120 days</small>	Receipt provided to the DEF and a copy, signed by DEF and you (constable), provided to the court? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Magisterial District Court:			Magisterial District Judge:	
Services Performed		Fees		Date
				Total \$
<input type="checkbox"/>	Execute warrant*	\$25 per docket number		
<input type="checkbox"/>	Effectuate payment by attempt to execute warrant*	\$25 per docket number		
<input type="checkbox"/>	Return of service for warrant	\$2.50		
<input type="checkbox"/>	Taking custody of defendant	\$5 per DEF		
<input type="checkbox"/>	Conveyance of defendant to or from court	\$5 per DEF		
<input type="checkbox"/>	Attendance at arraignment or hearing	\$13		
<input type="checkbox"/>	Executing discharge	\$5 per DEF		
<input type="checkbox"/>	Executing commitment	\$5 per DEF		
<input type="checkbox"/>	Executing release	\$5 per DEF		
<input type="checkbox"/>	Returns to court	\$2.50		
<input type="checkbox"/>	Transport nonincarcerated defendant to jail*	\$17 per DEF		
<input type="checkbox"/>	Transport prisoner*	\$38 per prisoner + # hrs after first hr: _____ @ \$13/hr		
<input type="checkbox"/>	Convey defendants for fingerprinting*	\$17 per DEF + # hrs after first hr per DEF: _____ @ \$13/hr		
<input type="checkbox"/>	Holding defendants at office	# hrs after the first ½ hr: _____ @ \$13/hr per DEF		
<input type="checkbox"/>	Courtroom security	# hrs _____ @ \$13/hr		
<input type="checkbox"/>	Serve subpoena*	\$13 first witness + each additional: _____ @\$5 each		
<input type="checkbox"/>	Return of service for subpoena	\$2.50 for each. Total subpoenas: _____		
<input type="checkbox"/>	Mileage at highest rate per mile allowed by the IRS	# of miles: _____ @ the IRS rate of: \$.545/mile		
<small>*services that include mileage</small>				TOTAL AMOUNT REQUESTED: \$
Verification				
<p>I, (name of constable listed above), am requesting payment for my performance of judicial duties that were authorized by the issuing authority in accordance to 44 Pa.C.S. § 7161 and § 7161.1. I hereby verify that the information above is correct. I understand that if this information is falsified, I could face penalties including, but not limited to, suspension from performing judicial duties in this judicial district. Additionally, I understand that if I have questions or disputes related to my payment and services, I will follow local procedure prescribed by the President Judge.</p>				
Signature of constable: _____			Date: _____	
<p>I, (MDJ listed above), verify the above services were authorized to be performed and additional documentation (i.e., warrant return, service of process, receipt, etc.), if appropriate, was submitted. I am NOT attesting to the nature or quality of the work performed in the field.</p>				
Signature of Magisterial District Judge: _____			Date: _____	

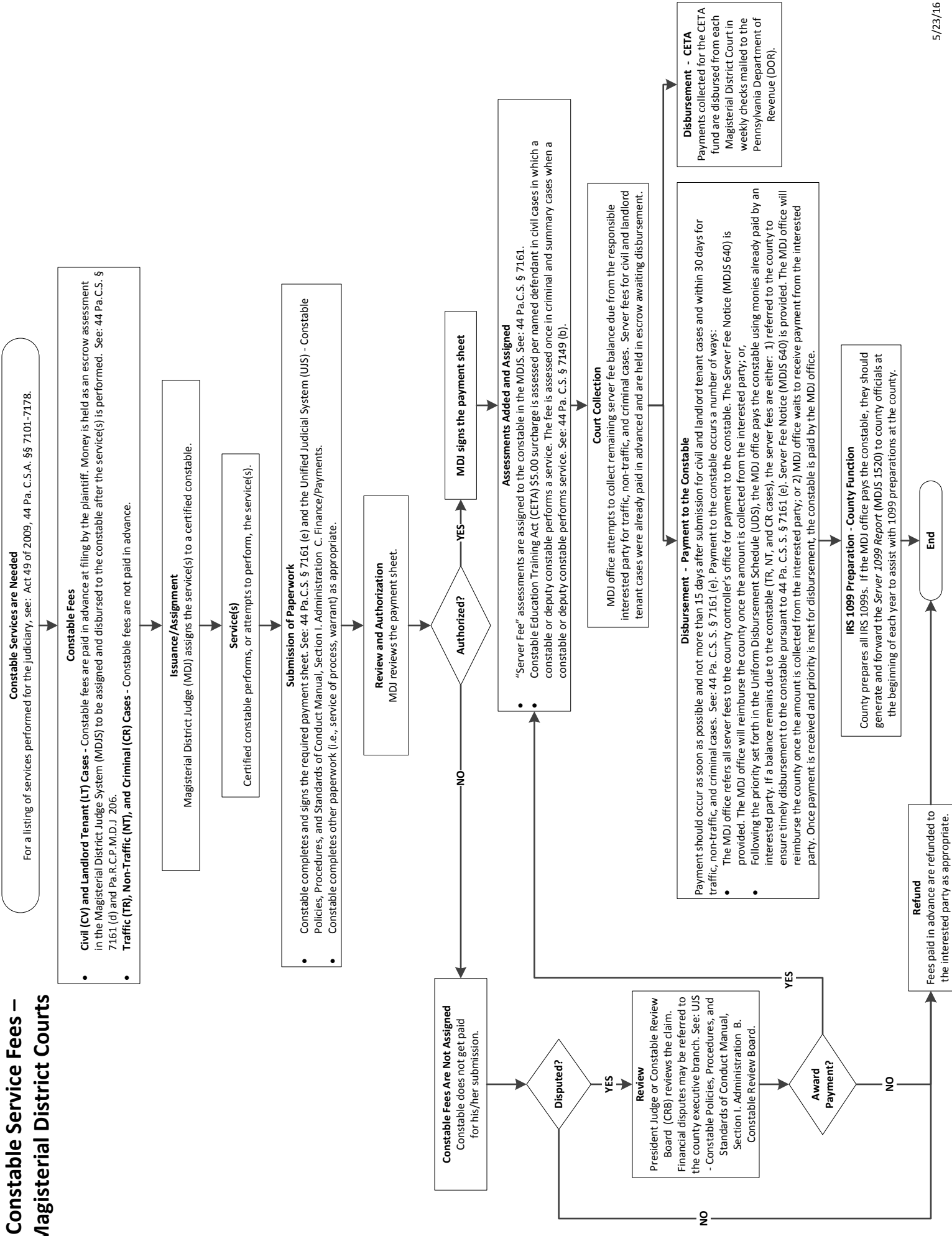
Payment should occur as soon as possible and not more than 15 days after submission for civil and landlord tenant cases and within 30 days for traffic, non-traffic, and criminal cases. Along with this form, documentation of service (i.e., warrant return, receipts, service of process, etc.) must be properly completed and provided to the court. Staff in the court office should date stamp this form immediately upon receiving. See Act 49 of 2009, 44 Pa. C.S.A. §§ 7101-7178 for details.

CONSTABLE SERVICE – PAYMENT REQUEST (CIVIL & LANDLORD TENANT)

Constable Information					
Name of Constable:			Certification Number:		
Phone:		Fax:	Email:		
Address: <small>Street</small>		<small>City</small>	<small>State</small>	<small>Zip Code</small>	
2 nd Constable Used? <input type="checkbox"/> Yes <input type="checkbox"/> No <small>See: 44 Pa.C.S. § 7161(c)</small>		Name of 2 nd Constable:			
Case Information					
Plaintiff (PLTF) Name(s):			Defendant (DEF) Name(s):		
Docket Number(s):			Was documentation of service completed and provided to MDC? <input type="checkbox"/> Yes <input type="checkbox"/> No		
Magisterial District Court:			Magisterial District Judge:		
Services Performed		Fees		Date	Total \$
<input type="checkbox"/>	Serving complaint, summons or notice*	\$13 plus \$5 for each additional DEF at same address plus \$2.50 for each return of service			
<input type="checkbox"/>	Levying goods, including schedule of property levied upon & set aside, notice of levy & return of service*	\$75			
<input type="checkbox"/>	Advertising personal property for public sale*	\$7 per posting, with a maximum \$21 fee, plus the cost of advertising			
<input type="checkbox"/>	Selling goods levied, receipts and returns to court*	\$85			
<input type="checkbox"/>	For making returns of not found*	\$13 (limited to three returns of not found)			
<input type="checkbox"/>	Executing order of possession*	\$13, plus \$5 for each additional DEF at same address plus \$2.50 for each return of service			
<input type="checkbox"/>	Ejectment*	\$90, plus \$2.50 for each return of service			
<input type="checkbox"/>	Return of service (<i>other than not found</i>)	\$2.50 each			
<input type="checkbox"/>	Courtroom security	# hrs _____ @ \$13/hr			
<input type="checkbox"/>	Serve subpoena*	\$13 first witness + each additional: _____ @\$5 each			
<input type="checkbox"/>	Return of service for subpoena	\$2.50 for each. Total subpoenas: _____			
<input type="checkbox"/>	Mileage at highest rate per mile allowed by the IRS	# of miles: _____ @ the IRS rate of: \$.545/mile			
<small>*services that include mileage</small>				TOTAL AMOUNT REQUESTED:	\$
Verification					
<p>I, (name of constable listed above), am requesting payment for my performance of judicial duties that were authorized by the issuing authority in accordance to 44 Pa.C.S. § 7161 and § 7161.1. I hereby verify that the information above is correct. I understand that if this information is falsified, I could face penalties including, but not limited to, suspension from performing judicial duties in this judicial district. Additionally, I understand that if I have questions or disputes related to my payment and services, I will follow local procedure prescribed by the President Judge.</p> <p style="text-align: center;">Signature of constable: _____ Date: _____</p> <p>I, (name of MDJ listed above), verify the above services were authorized to be performed and additional documentation (i.e., warrant return, service of process, receipt, etc.), if appropriate, was submitted. I am NOT attesting to the nature or quality of the work performed in the field.</p> <p style="text-align: center;">Signature of Magisterial District Judge: _____ Date: _____</p>					

Payment should occur as soon as possible and not more than 15 days after submission for civil and landlord tenant cases and within 30 days for traffic, non-traffic, and criminal cases. Along with this form, documentation of service (i.e., warrant return, receipts, service of process, etc.) must be properly completed and provided to the court. Staff in the court office should date stamp this form immediately upon receiving. See Act 49 of 2009, 44 Pa. C.S.A. §§ 7101-7178 for details.

Constable Service Fees – Magisterial District Courts



[Show](#)

SERVER FEE BREAKDOWN

This table provides a breakdown of services performed by servers and the fees charged for these services.

Service Performed	Service Fee Type listed in MDJS	Amount
CV Complaint/Hearing Notice	Serve Complaint, Summons	\$13.00, \$5.00 for each additional DEF at same address
	Return of Service (found)	\$2.50
	Mileage	Rate allowed by IRS
LT Complaint/Hearing Notice	Serve Complaint, Summons	\$13.00, \$5.00 for each additional DEF at same address
	Return of Service (found)	\$2.50
	Mileage	Rate allowed by IRS
Levying Goods (Order of Execution return)	Levying Goods	\$75.00
	Return of Service (found)	\$2.50
	Mileage	Rate allowed by IRS
Advertising Property for Sale	Advertising	\$7.00 per posting
	Return of Service (found)	\$2.50
	Mileage	Rate allowed by IRS
Hire Clerk for Sale	Hire Clerk for Sale	\$20.00
Selling Levied Goods (Order of Execution sale)	Sale of Goods Levied	\$85.00
	Return of Service (found)	\$2.50
	Mileage	Rate allowed by IRS
Executing Order for Possession (Return and Notice return)	Execute Order Possession	\$13.00, \$5.00 for each additional DEF at same address
	Return of Service (found)	\$2.50
	Mileage	Rate allowed by IRS
Ejectment (eviction)	Ejectment	\$90.00
	Return of Service (found)	\$2.50
	Mileage	Rate allowed by IRS
Return of Service Not Found (CV/LT)	Return Service (not found)	\$13.00 - limit 3 returns not found
	Mileage	Rate allowed by IRS
Security in the court	Courtroom Security	\$13.00 per hour
Serve Subpoena	Serve Subpoena	\$13.00, \$5.00 for each additional DEF at same address

	Returns to Court (CR/TR/NT) - or- Return of Service (found) (CV/LT)	\$2.50
	Mileage	Rate allowed by IRS
Execute warrant of Arrest	Execute warrant	\$25.00 per docket number
	Returns to Court	\$2.50
	Mileage	Rate allowed by IRS
Effectuating Payment of Fines/Costs	Execute warrant	\$25.00 per docket number
	Returns to Court	\$2.50
	Mileage	Rate allowed by IRS (not for phone/mail service)
Taking Custody of Defendant	Take Custody of Defendant	\$5.00 per defendant
Unsuccessful warrant Service	Returns to Court	\$2.50
	Mileage	Rate allowed by IRS
Transport Defendant to Court	Convey Defendant to Court	\$5.00 per defendant
	Mileage	Rate allowed by IRS
Attend Arraignment or Hearing	Attend Arraignment/Hearing	\$13.00
Holding Defendant	Hold Defendant	\$13.00 per hour
Transport Nonincarcerated Defendant to Prison	Convey Defendant to Prison (Nonincarcerated)	\$17.00 per defendant
	Mileage	Rate allowed by IRS
Transport Incarcerated Defendant to Prison	Convey Defendant to Prison (Incarcerated)	\$38.00 plus \$13.00 per hour after the first hour
	Mileage	Rate allowed by IRS
Commitment	Execute Commitment	\$5.00 per defendant
Discharge	Execute Discharge	\$5.00 per defendant
Release	Execute Release	\$5.00 per defendant
Fingerprinting	Convey for Fingerprinting	\$17.00 plus \$13 per hour after the first hour
	Mileage	Rate allowed by IRS
Service performed doesn't match the predefined server fees	Miscellaneous	No amount specified

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