

**17-25-2 Fees for constables -- Civil.**

- (1) Constables may for their own use collect as compensation in civil matters the same fees as those specified for sheriffs in Section 17-22-2.5.
- (2) Constable fees that exceed the amounts in Section 17-22-2.5 are recoverable:
  - (a) by the constable only if he has received prior approval for the increased fee from the party requesting the service; and
  - (b) by prevailing party as a cost of the action only if the court finds the service and increased fee are justifiable.

Renumbered and Amended by Chapter 46, 2001 General Session