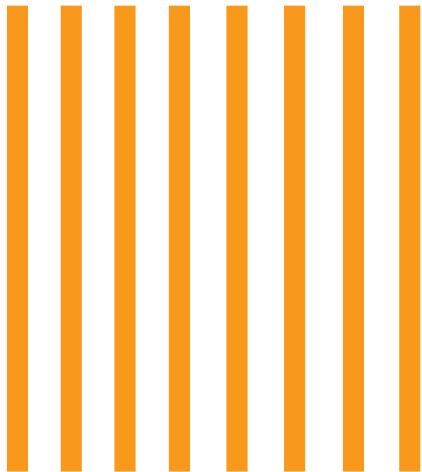




Serving Counties Since 1886

Correct Constable Fees and Billing

COUNTY GOVERNMENT PRIORITIES



Fact Sheet 2007

In 2006, legislation was signed into law increasing the fees that constables can collect for the services that they provide. Tucked away in this law was a minor wording change, whose impact was not understood at the time of passage, but which has led to significant taxpayer burden for constable fees. The wording now requires payment to constables on a per-docket basis, and as a result constables now bill multiple \$25 warrant service fees for a single service. Counties are experiencing billing by constables where a single service has contained as many as 50 docket numbers, increasing the constable fees from under \$100 to more than \$1,000 for one trip to one defendant.

While law requires an offender to pay the constable fee, in actuality county taxpayers can be, and often are, left making the payment. Constables submit their bills to the counties based upon the fees established in statute, and counties are required to pay the constable within 30 days. When the offender pays, it is essentially a reimbursement to the county.

Already, if a defendant is found innocent or charges are dropped, or if a convicted offender is found indigent, the fees are not collected and the taxpayers bear the cost. The windfall fees being charged as a result of the wording change now mean that offender payment is less likely. Counties across the state have been forced to increase budgets substantially for constable payments because of this change.

Counties did not object to the fee increase provisions, understanding that constable fees had not been increased for many years. However, counties could not have anticipated the impact of fees charged multiple times for a single service. The law was not intended to produce a windfall for constables, and must be amended to assure that tax payers are protected from such abusive practices.

For more information on constable billing practices, contact Brinda Carroll Penyak at 717-232-7554 x3137, or bpenyak@pacounties.org.