

FORD COUNTY SHERIFF'S OFFICE

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Dean Bush, Sheriff

TESTIMONY IN SUPPORT OF SUBSTITUTE SB 283 House Judiciary Committee on Civil Process Fees

March 7, 2012

Chairman Kinzer, Vice Chair Patton and member of the House Judiciary Committee, my name is Bill Carr, a Sergeant of the Ford County Sheriff's Office.

I offer to you written testimony in full support of Senate Bill 283.

I urge you to support the proposed changes to K.S.A. 28-110 noted in this bill. Issues which have been discussed in great length have been and are problematic for sheriff's offices across the state.

The Ford County Sheriff's Office strongly supports Substitute SB 283, which modifies current statutory language to require \$15.00 for serving, executing and returning any process, as well as for any unsuccessful attempt to serve, execute and return process.

With the increased cost of fuel, hourly pay and usage of equipment, the rate of fees is decidedly low for the amount of time and effort expended. In 2004 when this issue was last looked at, fuel was \$2.17 per gallon and today fuel is around \$3.50 and rising. Other factors to consider are the added expenses of salaries and benefits. Understanding that service of process is a statutory duty of the Sheriff, these losses are absorbed by our taxpayers. The suggested changes take a positive step in the direction of placing the costs where it belongs, on those who are asking for the service. Litigants involved in these cases are provided a means of recovery of said fees in form of court judgments.

Without Legislative resolution, Sheriff's Offices across the State will not be able to cover the cost of continuing to serve/execute and return all process as is required by law, without using some of the tax dollars allotted to them through the county budgets, thereby reducing other law enforcement functions covered by those tax dollars.

As fiscally conscious representatives, you understand all too well the increasing cost of government services. The proposed changes in SB283 enable agencies across the state to continue providing quality service while keeping costs as low as we can without jeopardizing our services.

Thank you for your time and consideration in this matter.

Sgt. Bill Carr