



JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

State of Louisiana
DEPARTMENT OF JUSTICE
P.O. BOX 94005
BATON ROUGE
70804-9005

DEC 22 2015
OPINION 15-0106

Mr. Charlie Caldwell, Jr.
Shreveport City Marshal
1244 Texas Avenue
Shreveport, LA 71101

Dear Mr. Caldwell,

48-A GARNISHMENTS
La. R.S. 13:5807

Pursuant to La. R.S. 13:5807, if a City Marshal serves a single individual with multiple documents at the same time, he is permitted to charge separate service fees for each document served. The appropriate service fee allowed the City Marshal of the City of Shreveport for service of a garnishment under a writ of fieri facias with interrogatories attached is \$38.50.

Your request for an Attorney General's Opinion has been assigned to me for research and reply. As City Marshal for the City of Shreveport, you have asked whether La. R.S. 13:5807 permits the Marshal to charge a separate service fee for each individual document served on an employer pursuant to a garnishment proceeding.

La. R.S. 13:5807 sets forth a fee schedule providing the amount constables and marshals are entitled to for services in civil matters. The following fees are relevant to your inquiry:

A. Constables and marshals, except in Orleans Parish and as provided by R.S. 13:5807.1, shall be entitled to the following fees of office, and no more, in civil matters:

* * *

(3) For making service or attempted service of interrogatories and notice of cross interrogatories, ten dollars.

(4) For making service or attempted service and return of garnishment under writ of fieri facias, twenty-eight dollars and fifty cents.

* * *

Our office addressed a similar issue in La. Atty. Gen. Op. No. 98-0203. There, we noted that the statute (then La. R.S. 33:1704) delineated separate charges for separate services and did not limit or otherwise prohibit a constable or marshal from charging fees based on multiple items. We concluded that a constable or marshal is permitted to charge separate service fees for each document served on a single individual.

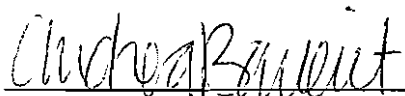
Therefore, if a constable or marshal served a single individual with a garnishment under a Writ of Fieri Facias with interrogatories attached, he is entitled to charge a service fee for service and return of the garnishment as well as a separate service fee for the interrogatories.

Applying this reasoning to the question presented by your request, it is the opinion of this office that if the City Marshal for the City of Shreveport serves an employer with multiple documents at the same time, he is permitted to charge a separate service fee for each document served pursuant to the garnishment proceeding. For example, the Marshal is entitled to a fee of \$28.50 for the service and return of a garnishment under a Writ of Fieri Facias. If he serves this with interrogatories, he may charge an additional \$10.00 fee for service of the interrogatories, for a total of \$38.50.

We hope this sufficiently answers your inquiry; however, if we may be of further assistance, please do not hesitate to contact our office.

With best regards,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By: 
Andrea Barient
Assistant Attorney General