

**64.080 Advance fees for execution of process.**

Unless a party has established his right to prosecute or defend as a poor person under KRS 453.190, or unless the party is the Commonwealth, a county, city, or any agency thereof, no officer shall be required to execute any process in a civil case on behalf of a party until the party has deposited with the clerk of the court from which the process issued a sum, not exceeding five dollars (\$5), sufficient to pay the fees for executing all process on behalf of that party in the case. Upon filing due return showing service the officer shall be paid his proper fee by the clerk. Any portion of the deposit not used to pay fees for process actually executed shall be returned to the party who paid it. If the process is sent to the officer from another county, he shall not be required to execute it unless it is accompanied by the fee or a certificate from the clerk that there is a sufficient sum on deposit to pay the fee.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 1727.