

Opinion No. 41-3944

November 7, 1941

BY: EDWARD P. CHASE, Attorney General

TO: Mrs. Pearl V. Dearth Deputy District Court Clerk Las Vegas, New Mexico

{*123} The Attorney General's office acknowledged receipt of your request for an opinion relative to the fee to be charged by District Court Clerks for the filing of insurance policies and certificates of non-necessity for filing of security with the clerk as required by Section 156-103 (Workmen's Compensation), New Mexico Statutes Annotated, 1929 Compilation.

Section 156-103, supra, clearly specifies that workmen's compensation policies of insurance or certificates must be filed with the District Court Clerk. This section does not state whether or not the filing should be noted in the docket nor does the law provide for a payment of the fee for the filing.

In view of the foregoing, it is my opinion that workmen's compensation insurance policies and certificates of non-necessity for filing security may be filed with the clerk of the district court without charge. I am informed that here in Santa Fe County a separate docket is kept for the purpose of noting the filing of this type of instrument. No fee is charged.

By GEO. H. HUNKER, Jr.,

Asst. Atty. General