

LAR 140. APPRAISAL AND RELEASE OF PROPERTY BEFORE SALE

(a) Appraisal. An order for appraisal of property so that security can be given will be entered by the clerk at the request of any interested party. If the parties do not agree in writing upon an appraiser, the court will appoint the appraiser. The appraiser shall be sworn to the faithful and impartial discharge of the appraiser's duties before any federal or state officer authorized by law to administer oaths. The appraiser shall give one day's notice of the time and place of making the appraisal to the counsel who have appeared in the action. The appraiser shall file the appraisal with the clerk as soon as it is made.

(b) Proof That Fees Have Been Paid. Before any property is released by the marshal the party seeking dismissal of the action or release of the property before sale shall obtain an endorsement by the marshal on the document being presented to the clerk or the court showing that all expenses and fees due the marshal have been paid or provided for.

[Effective May 1, 1992; amended effective July 1, 1997.]