

2005 DRAFTING REQUEST

Bill

Received: 06/08/2005

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing:

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters:

Subject: Courts - costs and fees

Extra Copies:

Submit via email: YES

Requester's email: Rep.Schneider@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Fees for problem-solving courts

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/1	mlief 06/16/2005	wjackson 06/16/2005	jfrantze 06/16/2005	_____	sbasford 06/16/2005		S&L
/2	mlief 06/23/2005	wjackson 06/23/2005	pgreensl 06/23/2005	_____	lemery 06/23/2005	sbasford 06/24/2005	

FE Sent For:

AA Intro.

2005 DRAFTING REQUEST

Bill

Received: 06/08/2005

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing:

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters:

Subject: Courts - costs and fees

Extra Copies:

Submit via email: YES

Requester's email: Rep.Schneider@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Fees for problem-solving courts

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?				_____			S&L
/1	mlief 06/16/2005	wjackson 06/16/2005	jfrantze 06/16/2005	_____	sbasford 06/16/2005		S&L
/2	mlief 06/23/2005	wjackson 06/23/2005	pgreensl 06/23/2005	_____	lemery 06/23/2005		

FE Sent For:

2005 DRAFTING REQUEST

Bill

Received: 06/08/2005

Received By: mlief

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing:

This file may be shown to any legislator: NO

Drafter: mlief

May Contact:

Addl. Drafters:

Subject: Courts - costs and fees

Extra Copies:

Submit via email: YES

Requester's email: Rep.Schneider@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Fees for problem-solving courts

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							S&L
/1	mlief 06/16/2005	wjackson 06/16/2005	jfrantze 06/16/2005	6/23 pg/le	sbasford 06/16/2005		

12 WJ 6/23

6/23
pg

FE Sent For:

<END>

2005 DRAFTING REQUEST

Bill

Received: **06/08/2005**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Courts - costs and fees**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Schneider@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Fees for problem-solving courts

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mlief	1 WJ 6/16	J 6/16	J 6/16			

FE Sent For:

<END>

Nelson, Robert P.

From: Kuesel, Jeffery
Sent: Tuesday, June 07, 2005 5:00 PM
To: Nelson, Robert P.
Subject: FW: Draft Assembly Bill for Schneider

-----Original Message-----

From: Kieper, Cynthia L.
Sent: Tuesday, June 07, 2005 2:43 PM
To: Kuesel, Jeffery
Subject: Draft Assembly Bill for Schneider

Hi,

My name is Jessica, and I have a bill that Assemblyman Schneider would like to see drafted. I'm not sure if this is your area of expertise. If it is not than I just ask that you please forward it to someone who it pertains to.

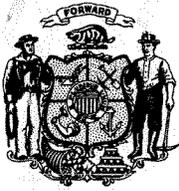
Here's a quick summary:

Six to eight drug treatment courts, preferably called problem solving, have been non-legislatively created. These treatment centers consist of specialized departments such as mental health, DUI, and teen courts. These specialized courts are being used to deter crime in a way other than simply punishment. If the party is eligible for the court then they are charged a fee for the one year of treatment provided. Since this has been created non-legislatively, there is no person or group that has the legal authority to collect a fee. There must be a statute specifically allow someone to collect fees. A statement designating the clerk of courts authority to collect or designate some to collect court fees is needed. Special wording is also needed. The statement should speak of "problem solving court fees", and not of drug court fees.

Judge Zappen's request:

At the present time there is no statutory authority for the clerk of courts to collect the fees that we charge for drug court. CCAP won't allow the clerk to continue the collection. Although we have found a workaround way, it is cumbersome and time consuming. The fees that are collected in my county go into a line item in my budget. Could you see if you can get a statutory change to allow the clerk to collect fees for problem solving courts such as a drug court, mental health court. etc. The authority to set up such a court is inherent in the power of a Circuit Court Judge. We just need to collect the fee some how.

Contact party Judge Edward Zappen - (715)421-8415



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3173/1

MJL: / : : : :
Wlj

2005 BILL

Due
6/23

D-N

Lps:
Please
print
w/linetts.

Gen

AN ACT ...; relating to: fees for deferred prosecution programs.

Analysis by the Legislative Reference Bureau

This bill allows a circuit court to collect a reasonable fee from a defendant for his or her agreeing to participate in a court-imposed treatment or educational plan in return for a deferral of prosecution (entry of conviction).

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 814.706[✓] of the statutes is created to read:

814.706 Fees for deferred prosecution programs. (1) A circuit court may collect a reasonable fee from a defendant for his or her agreeing to participate in a court-imposed treatment or educational plan in return for a deferral of an entry of conviction.

(END)

D-N

① Your instructions did not indicate how much
of a fee you would like the court to collect. ⊙

Do you want to specify an amount or do you
want a range? (Section 814.060, ^{^ Stats. ^} requires the court
to collect a \$20 [^] ~~to~~ fee in criminal actions,
for example. ⊙) Also, do you want the circuit court
to retain the entire fee [^], or should a portion ^{go}
to the state? ~~to~~

MJL ✓

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-3173/1dn
MJL:wlj:jf

June 16, 2005

Your instructions did not indicate how much of a fee you would like the court to collect. Do you want to specify an amount or do you want a range? (Section 814.60, stats., requires the court to collect a \$20 fee in criminal actions, for example.) Also, do you want the circuit court to retain the entire fee, or should a portion go to the state?

Madelon J. Lief
Senior Legislative Attorney
Phone: (608) 267-7380



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-3173/A²
MJL:wlj:je
↑

2005 BILL

RM
run

Regen

1 AN ACT *to create* 814.706 of the statutes; relating to: fees for deferred
2 prosecution programs.

of not more than
a \$1000 upon
3

Analysis by the Legislative Reference Bureau

This bill allows a circuit court to ~~collect a reasonable~~ ^{impose} fee ~~from~~ a defendant for his or her agreeing to participate in a court-imposed treatment or educational plan in return for a deferral of prosecution (entry of conviction). *The county retains the ent.*

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 814.706 of the statutes is created to read:

4 **814.706 Fees for deferred prosecution programs.** A circuit court may

5 ^{impose} collect a ~~reasonable~~ fee ^{of not more than \$1000 upon} from a defendant for his or her agreeing to participate in a

6 court-imposed treatment or educational plan in return for a deferral of an entry of

7 conviction. ^{Not} ₁₌ *The county treasurer shall retain the entire fee imposed for use by the county.*

8 (END)

Basford, Sarah

From: Schneider, Marlin
Sent: Thursday, June 23, 2005 9:18 PM
To: LRB.Legal
Subject: Draft review: LRB 05-3173/2 Topic: Fees for problem-solving courts

It has been requested by <Schneider, Marlin> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-3173/2 Topic: Fees for problem-solving courts

Barman, Mike

From: Barman, Mike
Sent: Wednesday, July 13, 2005 2:42 PM
To: Kieper, Cynthia L.
Cc: Lief, Madelon
Subject: RE: Lrb 3173/2-I CANNOT FIND THE JACKETED COPY OF THIS BILL AND WE PUT IT OUT FOR CO-SPONSORSHIP? I'M SORRY-CAN YOU HELP?

This draft was jacketed and sent to your office on June 24th.

Unfortunately, if you are unable to locate the bill jacket, the draft will have to be redrafted with a new LRB number (contact Lonnie Lief) and rejacketed. Sorry

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin - Legislative Reference Bureau
(Legal Section - Front Office)
1 East Main, Suite 200 Madison, WI 53703

-----Original Message-----

From: Lief, Madelon
Sent: Wednesday, July 13, 2005 2:27 PM
To: Barman, Mike
Subject: FW: Lrb 3173/2-I CANNOT FIND THE JACKETED COPY OF THIS BILL AND WE PUT IT OUT FOR CO-SPONSORSHIP? I'M SORRY-CAN YOU HELP?

Can you help her, Mike? Thanks.

-----Original Message-----

From: Kieper, Cynthia L.
Sent: Wednesday, July 13, 2005 2:09 PM
To: Lief, Madelon
Subject: Lrb 3173/2-I CANNOT FIND THE JACKETED COPY OF THIS BILL AND WE PUT IT OUT FOR CO-SPONSORSHIP? I'M SORRY-CAN YOU HELP?