

No. 363, A.]

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CHAPTER 424

AN ACT to amend 252.17 (2) and (8); and to create 252.17 (34) of the statutes, relating to fees of court commissioners.

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

SECTION 1. 252.17 (2) and (8) of the statutes are amended to read:

252.17 (2) Deciding upon an application for a writ of habeas corpus or certiorari, * * * \$2, whether such writ be allowed or not.

(8) * * * Attendance upon the taking of testimony or examination of witnesses in any matter or proceeding whatever, whether acting as a referee or otherwise, * * * \$10 for the first 2 hours thereof and \$3 per hour thereafter, and also 20 cents per folio for the original transcript of the testimony so taken * * * and 7½ cents per folio for each copy thereof. The reporter and commissioner shall be paid \$5 per day for the attendance at each examination or adjourned hearing whether or not evidence is taken except that no attendance fee shall be paid where testimony taken at any examination or adjourned hearing the folio charge therefor is \$5 or more; where the reporter is present, no motion for adjournment shall be granted unless the movant first pays the reporter's and commissioner's attendance fee. No such attendance fee shall be

allowed to a court reporter whose salary is paid in whole or in part by the state. Out of fees charged by the court commissioner under this subsection he shall be obligated to pay to the reporter 15 cents per folio for the original transcript *and 7-1/2 cents per folio for each copy*, except that in counties having a population over 500,000 the court commissioner out of fees charged by him under this subsection shall be obliged to pay the court reporter 10 cents per folio for the original transcript *and 5 cents per folio for each copy*. The attorney requesting the examination shall be directly responsible to the court commissioner * * * for the payment of all fees, except where paid by the party requesting an adjournment. The attorney ordering the examination shall be responsible for the payment of the original of the testimony taken * * * and any attorney ordering a copy of the transcript shall be responsible for the payment of the same to the court * * * commissioner. *Original of the testimony shall be filed by the commissioner only after payment of the commissioner's and reporter's fees.* The court commissioner shall be directly liable to the court reporter for the payment of the per folio charges for * * * *the original transcript as well as all copies and such payment shall be made within 30 days after the delivery of the transcript.* Unless the context clearly indicates otherwise, as used in this subsection, "court reporter" or "reporter" includes also a stenographer.

SECTION 2. 252.17 (34) of the statutes is created to read:

252.17 (34) For forwarding of all copies of testimony to any attorney ordering same, the cost of the first class mailing thereof and registering with return receipt requested.

Approved July 15, 1955.