

Assembly Bill 202

Date published:
January 17, 1968

CHAPTER 285, LAWS OF 1967

AN ACT to amend 271.29 (1) of the statutes, relating to the waiving of service and clerk's fees and the suit tax for indigents.

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

271.29 (1) of the statutes is amended to read:

271.29 (1) Any person may commence, prosecute or defend any action or proceeding in any court, or any writ of error or appeal therein, without being required to give security for cost *or to pay any service or clerk's fee or suit tax*, upon filing in said court, *and receiving approval of the affidavit by the court*, his affidavit that because of his poverty he is unable to pay the costs of said action or proceeding, or any writ of error or appeal therein, or to give security for the same, and that he believes that he is entitled to the redress that he seeks in such action or proceeding, or writ of error or appeal, and setting forth briefly the nature of his cause or appeal, or defense. *If such person subsequently recovers costs, the recovered amount shall first be applied to pay any service and filing fees which were waived under this subsection. Nothing contained in this section shall prevent the affiant from recovering any service or clerk's fees or any suit tax waived under this section. If such person subsequently recovers these costs, the recovered amount shall be used to pay any costs waived under this section.*

Approved December 28, 1967.