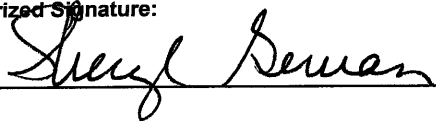


1999 Session		LRB Number -3614/4										
FISCAL ESTIMATE DOA-2048 N(R06/99)		Bill Number AB 616										
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> UPDATED <input type="checkbox"/> CORRECTED <input type="checkbox"/> SUPPLEMENTAL		Amendment No. if Applicable										
Small Claims Jurisdictional Limit		Administrative Rule Number										
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.												
<input checked="" type="checkbox"/> Increase Existing Appropriation <input checked="" type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Appropriation <input checked="" type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Create New Appropriation		<input type="checkbox"/> Increase Costs - May be possible to Absorb Within Agency's Budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Decrease Costs										
Local: <input type="checkbox"/> No local government costs												
1. <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input checked="" type="checkbox"/> Increase Revenues <input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenues <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	5. Types of Local Governmental Units Affected: <input type="checkbox"/> Towns <input type="checkbox"/> Villages <input type="checkbox"/> Cities <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others _____ <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts										
Fund Sources Affected <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEG-S		Affected Chapter 20 Appropriations s. 20.680(2)(j)										
Assumptions Used in Arriving at Fiscal Estimate This bill increases the jurisdictional limit in small claims court from \$5,000 to \$8,000. In 1998, there were an estimated 150,300 small claims actions filed in the circuit courts. The total filing cost in small claims is \$61 of which \$10.20 goes to the county, \$31 to the state, \$2 to the fund for the Justice Information System (BJIS) and 17.80 to a program revenue fund under s. 20.680(2)(j) for circuit court automation (CCAP) after July 1, 2000. Cases above \$5,000 are filed in large claim civil court. There were an estimated 19,150 large claims cases filed in 1998. The total filing cost in these cases is \$184 of which \$30 goes to the county, \$131 goes to the state, \$21 goes to CCAP and \$2 to BJIS. It is impossible to predict the loss and gain of cases between the small claims and large claim civil cases that will result because of the change in the limit. The gain in small claims caseload does not necessarily mean a corresponding decrease in the large claims caseload. For example purposes only, if the small claims caseload increases by 20% and the large claims caseload decreases by 20%, the following would be the annual fiscal impact upon court revenues after July 1, 2000:												
<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Increase in Small Claims (+20%)</u></th> <th style="text-align: center;"><u>County</u></th> <th style="text-align: center;"><u>State</u></th> <th style="text-align: center;"><u>CCAP</u></th> <th style="text-align: center;"><u>BJIS</u></th> </tr> </thead> <tbody> <tr> <td>30,060 cases at \$61 filing cost</td> <td style="text-align: center;">+ 306,612</td> <td style="text-align: center;">+ 931,860</td> <td style="text-align: center;">+ 535,068</td> <td style="text-align: center;">+ 60,120</td> </tr> </tbody> </table>			<u>Increase in Small Claims (+20%)</u>	<u>County</u>	<u>State</u>	<u>CCAP</u>	<u>BJIS</u>	30,060 cases at \$61 filing cost	+ 306,612	+ 931,860	+ 535,068	+ 60,120
<u>Increase in Small Claims (+20%)</u>	<u>County</u>	<u>State</u>	<u>CCAP</u>	<u>BJIS</u>								
30,060 cases at \$61 filing cost	+ 306,612	+ 931,860	+ 535,068	+ 60,120								
(Continued)												
Long-Range Fiscal Implications												
Prepared by: Sheryl Gervasi	Telephone No. 266-6984	Agency Director of State Courts										
Authorized Signature: 	Telephone No.	Date 1/13/00										

Decrease in Large Claims Civil (-20%)

3,830 cases at \$184 filing cost	-114,900	- 501,750	- 80,430	- 7,660
Net Total	+ 191,712	+ 430,130	+ 454,638	+52,460

Presently, the small claims caseload in the more populous counties is handled by court commissioners while in those counties without commissioners the clerks handle the initial return dates. This bill would decrease the circuit judge's civil caseload while increasing the caseload for commissioners and clerks. This would result in a shift in the burden of cost for handling cases between \$5,000 and \$8,000 from the state to the county since judges are compensated by the state and commissioners and clerks by the county. It is unknown how many counties would utilize the option under this bill of using court commissioners to handle the additional caseload. The clerks of court from Milwaukee and Dane counties have projected that additional staff would be required. Milwaukee, which presently has four full-time small claims court commissioners, could require one full-time commissioner (\$125,000/yr.), ½ time deputy clerk (\$23,500/yr.), and two clerk-typists (\$64,000/yr.). Dane County would need a ½ time clerk (\$20,500/yr.) and would seek additional reserve judge time which is a state cost. These salaries include fringe benefits but not space and supplies costs. The additional costs for other counties is impossible to predict.

FISCAL ESTIMATE WORKSHEET

1999 Session

Detailed Estimate of Annual Fiscal Effect
DOA-2047 (R06/99)

LRB Number 3614/4	Amendment No. if Applicable
Bill Number AB 616	Administrative Rule Number

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject

Small Claims

I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):

II. Annualized Costs:		Annualized Fiscal impact on State funds from:	
A. State Costs by Category		Increased Costs	Decreased Costs
State Operations - Salaries and Fringes		\$	\$ -
(FTE Position Changes)		(FTE)	(- FTE)
State Operations - Other Costs			-
Local Assistance			-
Aids to Individuals or Organizations			-
TOTAL State Costs by Category		\$	\$ -
B. State Costs by Source of Funds		Increased Costs	Decreased Costs
GPR		\$	\$ -
FED			-
PRO/PRS			-
SEG/SEG-S			-
State Revenues	Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)	Increased Rev.	Decreased Rev.
GPR Taxes		\$	\$ -
GPR Earned		+ indeter.	-
FED			-
PRO/PRS		+ indeter.	-
SEG/SEG-S			-
TOTAL State Revenues		\$	\$ -

NET ANNUALIZED FISCAL IMPACT

	STATE	LOCAL
NET CHANGE IN COSTS	\$ _____ - indeter.	\$ _____ + indeter.
NET CHANGE IN REVENUES	\$ _____ + indeter.	\$ _____ + indeter.

Prepared by: Sheryl Gervasi	Telephone No. 266-6984	Agency Director of State Courts
Authorized Signature: <i>Sheryl Gervasi</i>	Telephone No.	Date 1/13/00