

2001 DRAFTING REQUEST**Assembly Amendment (AA-AB45)**Received: **02/08/2001**Received By: **nelsorp1**Wanted: **As time permits**

Identical to LRB:

For: **Mark Gundrum (608) 267-5158**By/Representing: **Don Dyke**This file may be shown to any legislator: **NO**Drafter: **nelsorp1**

May Contact:

Alt. Drafters:

Subject: **Courts - costs and fees**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Fees paid witnesses

Instructions:

Allow the county-established higher fee to only apply to court actions.

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>
/1	nelsorp1 02/12/2001	jdyer 02/12/2001	jfrantze 02/12/2001	_____	lrb_docadmin 02/12/2001	lrb_docadmin 02/12/2001	

FE Sent For:

<END>

2001 DRAFTING REQUEST

Assembly Amendment (AA-AB45)

Received: 02/08/2001

Received By: nelsorp1

Wanted: As time permits

Identical to LRB:

For: Mark Gundrum (608) 267-5158

By/Representing: Don Dyke

This file may be shown to any legislator: NO

Drafter: nelsorp1

May Contact:

Alt. Drafters:

Subject: Courts - costs and fees

Extra Copies: Don Dyke,
Leg. Co.

Pre Topic:

No specific pre topic given

Topic:

Fees paid witnesses

*Be creative & short. \$6 for
everything but court when
county makes higher*

Instructions:

see 186.235

Allow the county-established higher fee to only apply to court actions.

Drafting History:

<u>Yrs.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1/?	nelsorp1	1 2/2 JD	2/2/12	3elb 2/12			

FE Sent For:

<END>

102.17(2m)

(2m) Any party, including the department, may require any person to produce books, papers and records at the hearing by personal service of a subpoena upon the person along with a tender of witness fees as provided in ss. 814.67 and 885.06. Except as provided in sub. (2s), the subpoena shall be on a form provided by the department and shall give the name and address of the party requesting the subpoena.

186.235(15)(b)

(b) Witness fees shall be the same as fees under s. 814.67 (1) (b) and (c). The fees of witnesses who are called by the office in the interests of the state shall be paid by the state upon presentation of proper vouchers approved by the office of credit unions and charged to the appropriation under s. 20.144 (2) (g). A witness subpoenaed by the office at the instance of a party other than the office shall not be entitled to payment of fees by the state unless the office certifies that the testimony was material to the purpose for which the subpoena was issued.

214.78(3)

(3) A person who subpoenas a witness shall advance the fees and mileage of the witness. Witness fees shall be the same as fees under s. 814.67 (1) (b) and (c). The fees of witnesses who are called by the review board in the interests of the state shall be paid by the state upon presentation of proper vouchers approved by the chairperson of the review board and charged to the appropriation under s. 20.144 (1) (g).

758.19(5)(a)3.

3. Witness fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by the court on its own motion or called by, or subpoenaed at the request of, a district attorney, the state public defender or a private attorney appointed under s. 977.08. Nothing in this subdivision affects the determination of who is obligated to pay for fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by, or subpoenaed at the request of the state public defender or a private attorney appointed under s. 977.08.

788.06(2)

(2) Any arbitrator may issue a subpoena under ch. 885 or may furnish blank forms therefor to a representative for any party to the arbitration. The representative may issue a subpoena under s. 805.07. The arbitrator or representative who issues the subpoena shall sign the subpoena and provide that the subpoena is served as prescribed in s. 805.07 (5). If any person so served neglects or refuses to obey the subpoena, the issuing party may petition the circuit court for the county in which the hearing is held to impose a remedial sanction under ch. 785 in the same manner provided for witnesses in circuit court. Witnesses and interpreters attending before an arbitration shall receive fees as prescribed in s. 814.67.

799.25(7)

(7) **Witness fees.** Amounts necessarily paid out for witness fees, including travel, as prescribed in s. 814.67. The fees for witnesses and their travel shall not exceed 50% of the amount recovered unless an order is entered specifying the amount to be paid in excess of 50% and the

reasons therefor.

814.65(2)

(2) Witness and interpreter's fees. The fees of witnesses and interpreters shall be paid as specified in s. 814.67.

879.41(3)

(3) To witnesses and interpreters, the fees under s. 814.67, and to expert witnesses, the fees under s. 814.04 (2);

885.05

885.05 Witness and interpreter fees. The fees of witnesses and interpreters are prescribed in s. 814.67.

885.45(3)

(3) The expense of playing the videotape recording at trial shall be borne by the proponent of the testimony. If the proponent is entitled to costs, the expense under this subsection shall be costs in the action, not to exceed for each witness or expert witness the maximum allowable cost for witness fees under ss. 814.04 (2) and 814.67 (1) (b) and (c).

979.06(6)

(6) Inquest witnesses shall receive the same compensation as witnesses in circuit court under s. 814.67.



9009 (2/12)
State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa0173/1

RPN:.....

JLD

**ASSEMBLY AMENDMENT ,
TO 2001 ASSEMBLY BILL 45**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 1: delete lines 1 and 2[✓] and substitute:

3 "814.67 (1) (b) 1. For witnesses, \$16 per day. A county board may establish a
4 higher fee that only applies to witnesses before the circuit court located in that
5 county."

6

(END)[✓]