2003 DRAFTING REQUEST

Bill

Received	: 03/01/2004			į	Received By: rnel	lson2	
Wanted: As time permits				Identical to LRB: -4273			
For: Ted Kanavas (608) 266-9174					By/Representing: Jeremey		
This file may be shown to any legislator: NO					Drafter: rnelson2		
May Contact:				Addl. Drafters:			
Subject:	Courts	- costs and fees	6		Extra Copies:		
Submit vi	a email: YES						
Requester	r's email:	Sen.Kanav	as@legis.sta	te.wi.us			
Carbon co	opy (CC:) to:						
Pre Topi	C:						
No specif	ic pre topic gi	ven	•				
Topic:			•				
Funding o	of guardian ad	litem and court	interpreters				
Instructi	ons:						
See Attac	hed						e.
Drafting	History:						,
Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	<u>Jacketed</u>	<u>Required</u>
/?	rnelson2 03/01/2004	kgilfoy 03/01/2004					S&L
/1			chaugen 03/01/2004		lemery 03/01/2004	lemery 03/02/2004	,

03/02/2004 12:34:44 PM Page 2

FE Sent For:

<END>

2003 DRAFTING REQUEST

4394

Bill

Received: 03/01/2004 Wanted: As time permits					Received By: rnelson2				
					Identical to LRB: -4273				
For: Ted Kanavas (608) 266-9174					By/Representing: Jeremey				
This file may be shown to any legislator: NO					Drafter: rnelson2				
May Contact:					Addl. Drafters:				
Subject: Courts - costs and fees					Extra Copies:				
Submit	via email: YES								
Request	er's email:	Sen.Kanav	as@legis.st	ate.wi.us					
Carbon	copy (CC:) to:								
Pre Top	oie:		,		·				
No spec	ific pre topic gi	ven							
Topic:	·								
Funding	of guardian ad	litem and cour	t interpreter	S					
Instruc	tions:								
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Vers.	Drafted	Reviewed	Typed	Proofed	<u>Submitted</u>	<u>Jacketed</u>	Required		
/?	rnelson2 03/01/2004	kgilfoy 03/01/2004					S&L		
/1			chaugen 03/01/200	04	lemery 03/01/2004				

03/01/2004 12:39:31 PM Page 2

FE Sent For:

 $\langle END \rangle$

2003 DRAFTING REQUEST

Bill

Received: 03/01/2004

Wanted: As time permits

For: Ted Kanavas (608) 266-9174

This file may be shown to any legislator: NO

May Contact:

Subject:

Courts - costs and fees

Received By: rnelson2

Identical to LRB: -4273

By/Representing: Jeremey

Drafter: rnelson2

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email:

Sen.Kanavas@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Funding of guardian ad litem and court interpreters

Instructions:

See Attached

Drafting History:

Vers.

Drafted

Reviewed

Typed

Proofed

Submitted

Jacketed

Required

/?

rnelson2

FE Sent For:

<END>

Nelson, Robert P.

From:

Shepherd, Jeremey

Sent:

Friday, February 27, 2004 4:41 PM

To:

Nelson, Robert P.

Subject:

FW: LRB 03-4273/1 attached as requested

Importance:

High

Bob,

We need a Senate version of this bill. Thanks!

Jeremey Shepherd Office of Senator Ted Kanavas 608.266.9174

----Original Message-----

From:

Sent:

Churchill, Jolene Friday, February 27, 2004 4:38 PM

To:

Shepherd, Jeremey

Subject:

FW: LRB 03-4273/1 attached as requested

Importance:

----Original Message----

From:

Northrop, Lori

Sent:

Friday, February 27, 2004 4:38 PM Churchill, Jolene

To:

Subject:

LRB 03-4273/1 attached as requested



03-4273/1

3/1 PM

2003 - 2004 LEGISLATURE

(394/) LRB-4273/1 RPN:kmg:rs

2003 BILL

AN ACT *to amend* 814.85 (1) (a), 814.85 (1) (b), 814.85 (1) (c) and 885.38 (3) (a) (intro.) of the statutes; **relating to:** funding of guardian ad litem costs and court interpreter fees and making appropriations.

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Analysis by the Legislative Reference Bureau

Under current law, the state provides funds to the counties for the costs that they incur in providing court interpreters to persons with limited English proficiency who are unable to afford an interpreter and who are directly involved in criminal cases, cases involving juveniles or children, or cases regarding mental health commitments or protective placements. Currently, the state provides funds to the counties for the costs incurred in providing a guardian ad litem in appropriate circuit court cases. The money for this funding is generated from a court support service surcharge paid by most persons when they file a civil action.

Under this bill, the state will pay all of the costs of providing court interpreter services to persons with limited English proficiency, regardless of the type of case or ability to pay, and of providing guardians ad litem in the circuit courts. The bill increases the court support service surcharge to generate the money necessary to make those increased payments.

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:

BILL

1	Section 1. 814.85 (1) (a) of the statutes, as affected by 2003 Wisconsin Acts 30
2	33 and (Assembly Bill 421), is amended to read:
3	814.85 (1) (a) Except for an action for a first violation of s. 23.33 (4c) (a) 2.
4	30.681 (1) (b) 1., 346.63 (1) (b), or 350.101 (1) (b), if the person who committed the
5	violation had a blood alcohol concentration of 0.08 or more but less than 0.1 at the
6	time of the violation, or for a safety belt use violation under s. 347.48 (2m), the clerk
7	of circuit court shall charge and collect a $$68$ $$75$ court support services surcharge
8	from any person, including any governmental unit as defined in s. 108.02 (17), paying
9	a fee under s. 814.61 (1) (a), (3), or (8) (am) or 814.63 (1).
10	Section 2. 814.85 (1) (b) of the statutes, as affected by 2003 Wisconsin Acts 33
11	and (Assembly Bill 421), is amended to read:
12	814.85 (1) (b) Notwithstanding par. (a), the clerk of circuit court shall charge
13	and collect a $\$169$ $\$189$ court support services surcharge from any person, including
14	any governmental unit as defined in s. 108.02 (17), paying a fee under s. 814.61 (1)
15	(a) or (3) or 814.62 (1) or (2), if the party paying the fee seeks the recovery of money
16	and the amount claimed exceeds the amount under s. 799.01 (1) (d).
17	SECTION 3. 814.85 (1) (c) of the statutes, as affected by 2003 Wisconsin Acts 33
18	and (Assembly Bill 421), is amended to read:
19	814.85 (1) (c) Notwithstanding par. (a), the clerk of circuit court shall charge
20	and collect a $\$51$ $\$57$ court support services surcharge from any person, including
21	any governmental unit, as defined in s. 108.02 (17), paying a fee under s. 814.62 (3)
22	(a) or (b), or paying a fee under s. 814.61 (1) (a) or (3) or 814.62 (1) or (2) if the party
23	paying the fee seeks the recovery of money and the amount claimed is equal to or less
24	than the amount under s. 799.01 (1) (d).
25	Section 4. 885.38 (3) (a) (intro.) of the statutes is amended to read:

BILL

885.38 (3) (a) (intro.) In criminal proceedings and in proceedings under ch. 48,
51, 55, or 938, if If the court determines that the person has limited English
proficiency and that an interpreter is necessary, the court shall advise the person
that he or she has the right to a qualified interpreter and that, if the person cannot
afford one, an interpreter will be provided at the public's expense if the person is one
of the following:
Section 5. Appropriation changes.

- (1) COURT INTERPRETER FEES. In the schedule under section 20.005 (3) of the statutes for the appropriation to the director of state courts under section 20.625 (1) (c) of the statutes, as affected by the acts of 2003, the dollar amount is increased by \$446,300 for fiscal year 2004–05 for the purpose for which the appropriation is made.
- (2) Guardian ad Litem costs. In the schedule under section 20.005 (3) of the statutes for the appropriation to the director of state courts under section 20.625 (1) (e) of the statutes, as affected by the acts of 2003, the dollar amount is increased by \$4,908,300 for fiscal year 2004–05 for the purpose for which the appropriation is made.

SECTION 6. Initial applicability.

(1) This act first applies to actions commenced on July 1, 2004.

(END)

Emery, Lynn

From:

Shepherd, Jeremey

Sent:

Tuesday, March 02, 2004 12:29 PM

To:

LRB.Legal

Subject:

Draft review: LRB 03-4394/1 Topic: Funding of guardian ad litem and court interpreters

It has been requested by <Shepherd, Jeremey> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-4394/1 Topic: Funding of guardian ad litem and court interpreters