

2003 DRAFTING REQUEST

Bill

Received: 03/01/2004

Received By: rnelson2

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

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:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<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	

FE Sent For:

AA Intro,

<END>

4394

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/?	rnelson2	1-3/1 Kmg	ch jt	ch 3/1 pet			

FE Sent For:

<END>

Nelson, Robert P.

From: Shepherd, Jeremy
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!

Jeremy Shepherd
Office of Senator Ted Kanavas
608.266.9174

-----Original Message-----

From: Churchill, Jolene
Sent: Friday, February 27, 2004 4:38 PM
To: Shepherd, Jeremy
Subject: FW: LRB 03-4273/1 attached as requested
Importance: High

-----Original Message-----

From: Northrop, Lori
Sent: Friday, February 27, 2004 4:38 PM
To: Churchill, Jolene
Subject: LRB 03-4273/1 attached as requested



03-4273/1

3/1 PM

2003 - 2004 LEGISLATURE

LRB-42731

RPN:kmg:rs

4394/1

2003 BILL

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

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:

Emery, Lynn

From: Shepherd, Jeremy
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, Jeremy> that the following draft be jacketed for the SENATE:

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