

2003 ASSEMBLY BILL 526

September 18, 2003 – Introduced by Representatives ALBERS, MUSSER, BIES, HAHN, McCORMICK, F. LASEE, J. LEHMAN, SERATTI and STASKUNAS, cosponsored by Senators ROESSLER, A. LASEE and LASSA. Referred to Committee on Corrections and the Courts.

- 1 **AN ACT to amend** 814.61 (7) (b) of the statutes; **relating to:** waiver of filing fee
2 if parties stipulate to certain revisions of judgment or order.

Analysis by the Legislative Reference Bureau

Under current law, a party who files a petition or motion to revise a judgment or order for child support, family support, or maintenance must pay a filing fee of \$30 to the clerk of circuit court. Fifty percent of the filing fee is retained for general use by the county and 50% is paid to the state treasurer for deposit in the general fund. No filing fee is required, however, if the parties stipulate to the revision in child or family support or maintenance.

Also under current law, a party who files a petition, motion, or order to show cause to revise a judgment or order for legal custody of, or physical placement with, a child must pay a filing fee of \$50 to the clerk of circuit court. Twenty-five percent of the filing fee is retained for general use by the county, 25% is paid to the state treasurer for deposit in the general fund, and 50% must be used exclusively for the county's family court counseling services, which include mediation. This bill provides that no filing fee is required for filing a petition, motion, or order to show cause to revise a judgment or order for legal custody or physical placement if the parties stipulate to the revision.

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:

ASSEMBLY BILL 526

1 **SECTION 1.** 814.61 (7) (b) of the statutes is amended to read:

2 814.61 (7) (b) Upon the filing of any petition, motion, or order to show cause
3 by either party under s. 767.325 or 767.327, \$50. No fee may be collected under this
4 paragraph for filing a petition, motion, or order to show cause for the revision of a
5 judgment or order for legal custody or physical placement if both parties have
6 stipulated to the revision of the judgment or order. Of the fees received by the clerk
7 under this paragraph, the county treasurer shall pay 25% to the state treasurer for
8 deposit in the general fund, retain 25% for the use of the county, and deposit 50% in
9 a separate account to be used by the county exclusively for the purposes specified in
10 s. 767.11.

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(END)