

2007 DRAFTING REQUEST

Bill

Received: **09/01/2006**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Wavrunek**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Adl. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies: **Anne Sappenfield, LC**

Submit via email: **NO**

Pre Topic:

DOA:.....Wavrunek, BB0137 -

Topic:

County report to the director of state courts.

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 09/15/2006	lkunkel 09/26/2006		_____			
/1			rschluet 09/27/2006	_____	sbasford 09/27/2006		
/2	rnelson2 09/28/2006	wjackson 09/28/2006	rschluet 09/29/2006	_____	lparisi 09/29/2006		
/3	rnelson2 10/13/2006	lkunkel 10/13/2006	rschluet 10/13/2006	_____	mbarman 10/13/2006		
/4	rnelson2 01/16/2007	wjackson 01/17/2007	jfrantze 01/17/2007	_____	sbasford 01/17/2007		

Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For:

<END>

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/1			rschluet 09/27/2006	_____	sbasford 09/27/2006		
/2	rnelson2 09/28/2006	wjackson 09/28/2006	rschluet 09/29/2006	_____	lparisi 09/29/2006		
/3	rnelson2 10/13/2006	lkunkel 10/13/2006	rschluet 10/13/2006	_____	mbarman 10/13/2006		

FE Sent For:

14 wj 1/17

Jo 1/17 Jo/sh 1/17

<END>

2007 DRAFTING REQUEST

Bill

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Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Administration-Budget *D-0370*

By/Representing: Wavrunek

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Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Courts - miscellaneous

Extra Copies: *Anne Sappenfield, LC*

Submit via email: NO

Pre Topic:

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County report to the director of state courts.

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/2	rnelson2 09/28/2006 rnelson2	wjackson 09/28/2006	rschluet 09/29/2006	_____	lparisi 09/29/2006		

FE Sent For:

/3/mk 10/13

88
10/3/06

<END>

2007 DRAFTING REQUEST

Bill

Received: 09/01/2006

Received By: rnelson2

Wanted: As time permits

Identical to LRB:

For: Director of State Courts 7-0702

By/Representing: Deb Brescoll

This file may be shown to any legislator: NO

Drafter: rnelson2

May Contact:

Addl. Drafters:

Subject: Courts - miscellaneous

Extra Copies: Anne Sappenfield, LC

Submit via email: YES

Requester's email: deb.brescoll@wicourts.gov

Carbon copy (CC:) to: Anne.Sappenfield@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

County report to the director of state courts.

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 09/15/2006	lkunkel 09/26/2006		_____			
/1			rschluet 09/27/2006	_____	sbasford 09/27/2006		
/2	rnelson2 09/28/2006	wjackson 09/28/2006	rschluet 09/29/2006	_____	lparisi 09/29/2006		

FE Sent For:

<END>

2007 DRAFTING REQUEST

Bill

Received: **09/01/2006**

Received By: **rnelson2**

Wanted: **As time permits**

Identical to LRB:

For: **Director of State Courts 7-0702**

By/Representing: **Deb Brescoll**

This file may be shown to any legislator: **NO**

Drafter: **rnelson2**

May Contact:

Addl. Drafters:

Subject: **Courts - miscellaneous**

Extra Copies: **Anne Sappenfield, LC**

Submit via email: **YES**

Requester's email: **deb.brescoll@wicourts.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

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Instructions:

See attached

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/?	rnelson2 09/15/2006	lkunkel 09/26/2006		_____			
/1		1/2 wlj 9/28	rschlue 09/27/2006	_____	sbasford 09/27/2006		

FE Sent For:

9296
pb
<END>

2007 DRAFTING REQUEST

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Wanted: As time permits

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For: Director of State Courts 7-0702

By/Representing: Deb Brescoll

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May Contact:

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/?	rnelson2	1/mk 9/25					
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FE Sent For:

<END>

Nelson, Robert P.

From: Deb Brescoll [Deb.Brescoll@wicourts.gov]
Sent: Tuesday, August 22, 2006 3:14 PM
To: Nelson, Robert P.
Subject: Courts' Statutory Change Drafts for Biennial Budget Submission
Attachments: Statutory Language Request Memo 08-17.doc

Hi Bob,

Attached is a memo detailing the drafts we are requesting for the Courts' 2007-09 biennial budget request. Please call if you have further questions and thanks for your help.

Deb Brescoll
Director of State Courts Office

08/23/2006

Memorandum

STATE OF WISCONSIN
MANAGEMENT SERVICES



DATE: August 22, 2006

TO: Robert Nelson, Senior Attorney
Legislative Reference Bureau

FROM: Deb Brescoll, Budget and Policy Officer
Director of State Courts Office

SUBJECT: Statutory Change Requests for the Courts' 2007-2009 Biennial Budget Submissions

Attached are five statutory changes requested by the Supreme Court as part of the court system's 2007-2009 biennial budget request, namely:

Supreme Court and Circuit Courts

- Require counties to submit to the Director of State Courts an annual report by May 15 that complies with a uniform chart of accounts developed by the Director of State Courts Office for the recording of all financial transactions relating to core court services. Authorize the Director of State Courts Office to conduct audits of counties' annual reports of court costs and revenues. This was drafted two years ago as LRB 0147/P2.

Supreme Court

- Provide that the \$1 of the justice information system surcharge (JISS) revenues currently deposited to the General Fund instead be deposited to s. 20.680(2)(j), Court information systems (CCAP). Currently this appropriation receives six-twelfths of the \$12 surcharge; under this proposal, CCAP would receive seven-twelfths of the surcharge. Further, delete the exemption from the CCAP fee and the JISS for the following violations: first violation of operating an ATV, motorboat, motor vehicle or snowmobile with a blood alcohol concentration of 0.08 or more but less than 0.1. Finally, broaden the Chapter 20 appropriation language for s. 20.680(2)(j) to allow the Supreme Court to establish additional CCAP fees by rule.
- Change the Director of State Courts Office appropriation from annual to biennial. Two years ago you drafted this same request as LRB 0121/1.

Circuit Courts

- Require court interpreters for all cases regardless of indigency. Authorize state reimbursement for county interpreter costs related to non-indigents.

STATUTORY LANGUAGE REQUEST: 2007 - 2009

Department/Program: Supreme Court and Circuit Courts

Statutory Language Change: Uniform Chart of Accounts for Court Financial Transactions and Audits of Counties' Annual Reports of Court Costs and Revenues

NARRATIVE

The Supreme Court requests the following statutory language modifications in order to institute a standardized program for the recording, reporting, and auditing of the annual county circuit court costs and revenues submitted to the Director of State Courts Office, and to require counties to adhere to a uniform chart of accounts when recording all financial transactions related to court services as defined by the Director of State Courts.

- Modify s. 758.19 (5)(a) by deleting 1. to 8. and instead say that in this subsection "court costs" means the court costs as defined by the Director of State Courts under (am)1, except for those costs related to courtroom security, including security personnel, and costs related to rent, utilities, maintenance, rehabilitation and construction of court facilities.
- Create s. 758.19 (5)(am) to authorize the Director of State Courts to: (1) prescribe a uniform chart of accounts applicable to all counties for the recording of all financial transactions relating to the operation of the circuit courts in the county including both revenues and expenditures, and (2) perform audits of the annual reports of court costs and revenues submitted by counties to the director of state courts under (e).
- Delete s. 758.19 (19) (5)(d).
- Modify s. 758.19 (5)(e) to say that no later than May 15 of each year, each county shall submit to the director of state courts, in a format that is established by the director of state courts and in a manner that complies with a uniform chart of accounts developed by the director of state courts under (am)1, information regarding the amount of actual court costs that the county incurred in the previous calendar year and the revenues that the court collected or was received by the court in the previous calendar year.
- Modify s. 758.19 (5)(f) to say that a county that fails to meet the requirements under par. (e) is not eligible for a payment under par. (b) for one year beginning July 1 following the May 15 that the information was not provided, or until the information is provided, whichever is earlier. Keep the last sentence starting with "Except".

wanted 7/29

2005 - 2006 LEGISLATURE

LRB-0147/P2

0108/11
MJJ:lmk&wljff
RPN
keep

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2007 Bill

LPS:PlsPWF

repeal

vt

1 AN ACT to repeal 758.19 (5) (d); to amend 758.19 (5) (e) and 758.19 (5) (f); to
2 repeal and recreate 758.19 (5) (a); and to create 758.19 (5) (am) of the
3 statutes; relating to: creating a uniform chart of accounts for county courts.

insert and

Analysis by the Legislative Reference Bureau

This is a preliminary draft. An analysis will be provided in a later version.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 SECTION 1. 758.19 (5) (a) of the statutes is repealed and recreated to read:
5 758.19 (5) (a) In this subsection, "court costs" does not include costs related to
6 courtroom security, including security personnel, and costs related to rent, utilities,
7 maintenance, rehabilitation, and construction of court facilities.

8 SECTION 2. 758.19 (5) (am) of the statutes is created to read:
9 758.19 (5) (am) The director of state courts may create a uniform chart of
10 accounts that each county shall be required to use for the recording of all financial

1 transactions relating to the operation of circuit courts and may audit the information
2 submitted under par. (e). ✓

3 SECTION 3. 758.19 (5) (d) of the statutes is repealed. ✗

4 SECTION 4. 758.19 (5) (e) of the statutes is amended to read:

5 758.19 (5) (e) No later than July 1, 1994, and no later than July 1 the first May
6 15 following the effective date of this paragraph ... [revisor inserts date], and no later
7 than May 15 of each year thereafter, each county shall submit to the director of state
8 courts, in a format that is established by the director of state courts, and in a manner
9 that comports with the uniform chart of accounts under par. (am), information
10 regarding the amount of actual court costs that the county incurred in the previous
11 calendar year for each of the court costs listed in par. (a) 1. to 8 and revenues collected
12 or received by the court in the previous calendar year. ✓

13 SECTION 5. 758.19 (5) (f) of the statutes is amended to read:

14 758.19 (5) (f) A county that fails to meet the requirements under par. (e) is not
15 eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3),
16 after the July 1 May 15 that the information was not provided, or until the
17 information is provided, whichever is earlier. Except as provided in this paragraph
18 and par. (g), the information regarding the amount of actual costs reported under par.
19 (e) does not affect the amount paid to a county under par. (b).

20 (END)

2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0108/ins
RPN:.....

insert anal:

Under current law, the director of state courts makes payments to counties for the costs they incur in administering the circuit court branches. Current law defines those court costs to include jury fees, witness fees, expert witness fees, and salary and fringe benefits for judicial assistants, and excludes costs related to courtroom security, rent, utilities, maintenance and construction of court facilities. Currently, the salary of judges and their court reporters is paid by the state under another provision. Currently, each county is required to submit information about court costs by July 1 of each year for costs incurred in the previous calendar year in a format that is established by the director of state courts.

This bill deletes the list of court costs that are eligible for reimbursement from the statutes and retains the list of court costs that are not eligible for reimbursement. Instead of listing the eligible court costs, this bill requires counties to report their reimbursable court costs on a uniform chart of accounts that the director of state courts creates. The bill also changes the date that the counties must report the court costs from July 1 to May 15. ✓

end of insert

2007 - 2008 LEGISLATURE

LRB-0108/1

RPN:lmk&wlj:rs

2007 BILL

1 AN ACT *to repeal* 758.19 (5) (d); *to amend* 758.19 (5) (e) and 758.19 (5) (f); *to*
 2 *repeal and recreate* 758.19 (5) (a); and *to create* 758.19 (5) (am) of the
 3 statutes: **relating to:** creating a uniform chart of accounts for county court
 4 costs.

any any other costs other than

This isn't needed for a budget draft, is it?
Analysis by the Legislative Reference Bureau

Under current law, the director of state courts makes payments to counties for the costs they incur in administering the circuit court branches. Current law defines those court costs to include jury fees, witness fees, expert witness fees, and salary and fringe benefits for judicial assistants, and ~~excludes~~ costs related to courtroom security, rent, utilities, maintenance and construction of court facilities. Currently, the salary of judges and their court reporters is paid by the state under another provision. Currently, each county is required to submit information about court costs by July 1 of each year for costs incurred in the previous calendar year in a format that is established by the director of state courts.

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Incorrect

payment

2007 - 2008 Legislature

- 2 -

LRB-0108/1
RPN:lmk&wj/rs

BILL

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The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 758.19 (5) (a) of the statutes is repealed and recreated to read:

758.19 (5) (a) In this subsection, "court costs" ^{are all costs to operate the circuit courts except} ~~does not include~~ costs related to courtroom security, including security personnel, and costs related to rent, utilities, maintenance, rehabilitation, and construction of court facilities.

SECTION 2. 758.19 (5) (am) of the statutes is created to read:

758.19 (5) (am) The director of state courts may create a uniform chart of accounts that each county shall be required to use for the recording of all financial transactions relating to the operation of circuit courts and may audit the information submitted under par. (e).

SECTION 3. 758.19 (5) (d) of the statutes is repealed.

SECTION 4. 758.19 (5) (e) of the statutes is amended to read:

758.19 (5) (e) ~~No later than July 1, 1994, and no later than July 1~~ the first May 15 following the effective date of this paragraph ... [revisor inserts date], and no later than May 15 of each year thereafter, each county shall submit to the director of state courts, in a format that is established by the director of state courts, and in a manner that comports with the uniform chart of accounts under par. (am), information regarding the amount of actual court costs that the county incurred in the previous calendar year ~~for each of the court costs listed in par. (a) 1. to 8~~ and revenues collected or received by the court in the previous calendar year.

SECTION 5. 758.19 (5) (f) of the statutes is amended to read:

State of Wisconsin Supreme Court
Director of State Courts

Fax No. 608.261-8293

FAX COVER SHEET

Press pen firmly when completing.

Date sent: 9/27/06

Number of pages to follow. 7

To: Bob Nelson
Leg. Reference Bureau

From: Deb Brescoll
Dept. Director of State Courts Office
Univ/Project Budget Office

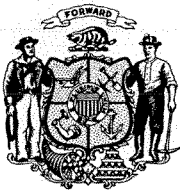
Fax No. 4-6948

Sender's Telephone No. 7-0702

Document/Message: Here are the changes I'd like to the two drafts. Please call if you'd like to discuss. 0108/1 to 0112/1

Thanks. Deb

If there were any problems with the transmission or not all pages were received, please contact sender immediately at the above telephone number.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0108/1

RPN:lmk&wlj:rs

↑ stays

2

2007 BILL

Wanted 10/3

Agency budget draft.

Do Not Gen
Regen

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3 statutes; relating to: creating a uniform chart of accounts for county) court
4 costs.

Head
Subhead
Circuit

~~Courts and Court Procedure~~
Circuit Courts
Analysis by the Legislative Reference Bureau
any other court operating costs except

Under current law, the director of state courts makes payments to counties for the costs they incur in administering the circuit court branches. Current law defines those court costs to include jury fees, witness fees, expert witness fees, and salary and fringe benefits for judicial assistants, and ~~excludes~~ costs related to courtroom security, rent, utilities, maintenance and construction of court facilities. Currently, the salary of judges and their court reporters is paid by the state under another provision. Currently, each county is required to submit information about court costs by July 1 of each year for costs incurred in the previous calendar year in a format that is established by the director of state courts.

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13 15 following the effective date of this paragraph ... [revisor inserts date], and no later
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BILL

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3 after the ~~July 1~~ May 15 that the information was not provided, or until the
4 information is provided, whichever is earlier. Except as provided in this paragraph
5 and par. (g), the information regarding the amount of actual costs reported under par.
6 (e) does not affect the amount paid to a county under par. (b).

7

(END)

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Standardized county reporting and auditing county court costs and revenues
- Tracking Code: BB0137
- SBO team: General Government and Justice
- SBO analyst: Leah Wavrunek
 - Phone: 267-0370
 - Email: leah.wavrunek@wisconsin.gov
- Agency acronym: SC
- Agency number: 680
- Priority (Low, Medium, High): Medium

RPN

The request intends to institute a standardized program for the recording, reporting and auditing of the annual county circuit court costs and revenues submitted to the Director of State Courts Office. Second, the request would require counties to adhere to a uniform chart of accounts when recording all financial transactions related to court services as defined by the Director of State Courts.

The agency submitted a draft of LRB-0108/2 along with their budget request.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0108/2
RPN:lmk&wlj:rs

keep

~~2007~~ BILL

POA - Budget

DO NOT GEN

1 AN ACT ...; relating to: creating a uniform chart of accounts for county circuit
2 court costs. the budget

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

CIRCUIT COURTS

Under current law, the director of state courts makes payments to counties for the costs they incur in administering the circuit court branches. Current law defines those circuit court costs to include jury fees, witness fees, expert witness fees, and salary and fringe benefits for judicial assistants, and any other court operating costs except costs related to courtroom security, rent, utilities, maintenance and construction of court facilities. Currently, the salary of judges and their court reporters is paid by the state under another provision. Currently, each county is required to submit information about court costs by July 1 of each year for costs incurred in the previous calendar year in a format that is established by the director of state courts.

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7

(END)

Nelson, Robert P.

From: Wavrunek, Leah J - DOA
Sent: Friday, January 12, 2007 9:56 AM
To: Nelson, Robert P.
Subject: LRB-0112/4 and 0108/3 Revisions

Good morning,

I will be sending a few emails today on changes/questions now that we are getting some decisions. If you prefer another format, please let me know.

Reconciling 0112/4 and 0108/3:

1. For 0112/4, the current intent is to not change the formula and not change the distribution of funds. We will keep the Circuit Court Support and Guardian ad Litem payments separate and have them paid out of GPR.
2. In the drafter's note, you noted that this bill and 0108/3 are not reconciled. We do want to have a chart of accounts and give the Director's office the ability to audit information. If this can be accomplished just through 0108/3, that would be fine.

Please give me a call if you have questions regarding the intent of these revisions.
Thank you,
Leah

Leah Wavrunek
State Budget Office
Ph: (608) 267-0370
F: (608) 267-0372
leah.wavrunek@wisconsin.gov

*I think this means
get rid of 0112/4 and
section 1 of 0108/3
Yes - Leah 1/16. But
minor chgs on - 0108, p 2
lines 17 & 20; add "circuit"*



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0108/3

RPN:lmk&wlj:rs

↑ ↑
Stays

DOA:.....Wavrunek, BB0137 - County report to the director of state courts.

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

Handwritten notes:
at 7580 of the added circuit ✓
19(5) appropriate places in
for consistency and clarity
RPN

DO NOT GEN

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

CIRCUIT COURTS

Under current law, the director of state courts makes payments to counties for the costs they incur in administering the circuit court branches. Current law defines those circuit court costs to include jury fees, witness fees, expert witness fees, and salary and fringe benefits for judicial assistants, and any other court operating costs except costs related to courtroom security, rent, utilities, maintenance and construction of court facilities. Currently, the salary of judges and their court reporters is paid by the state under another provision. Currently, each county is required to submit information about court costs by July 1 of each year for costs incurred in the previous calendar year in a format that is established by the director of state courts.

This bill ~~deletes the list of court costs that are eligible for payment and retains the list of court costs that are not eligible for reimbursement.~~ Instead of listing the eligible court costs, this bill requires counties to report their reimbursable court costs on a uniform chart of accounts that the director of state courts creates. The bill also changes the date that the counties must report the court costs from July 1 to May 15.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1

SECTION 1. 758.19 (5) (a) of the statutes is repealed and recreated to read:

758.19 (5) (a) In this subsection, "court costs" are all costs necessary to operate the circuit courts except the costs related to courtroom security, including security personnel, and the costs related to rent, utilities, maintenance, rehabilitation, and construction of court facilities.

SECTION 2. 758.19 (5) (am) of the statutes is created to read:

758.19 (5) (am) The director of state courts may create a uniform chart of accounts that each county shall be required to use for the recording of all financial transactions relating to the operation of circuit courts and may audit the information submitted under par. (e).

SECTION 3. 758.19 (5) (d) of the statutes is repealed.

SECTION 4. 758.19 (5) (e) of the statutes is amended to read:

758.19 (5) (e) No later than July 1, 1994, and no later than July 1 the first May 15 following the effective date of this paragraph ... [revisor inserts date], and no later than May 15 of each year thereafter, each county shall submit to the director of state courts, in a format that is established by the director of state courts, and in a manner that comports with the uniform chart of accounts under par. (am), information regarding the amount of actual ^{circuit} court costs that the county incurred in the previous calendar year for each of the court costs listed in par. (a) 1. to 8 and revenues collected or received by the ^{circuit} court in the previous calendar year.

SECTION 5. 758.19 (5) (f) of the statutes is amended to read:

758.19 (5) (f) A county that fails to meet the requirements under par. (e) is not eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3), after the July 1 May 15 that the information was not provided, or until the information is provided, whichever is earlier. Except as provided in this paragraph

insert 2-5 →

o

1 and par. (g), the information regarding the amount of actual costs reported under par.

2 (e) does not affect the amount paid to a county under par. (b).

3  (END)

*insert ↓
3-2*

insert 2-5
1

Section #. 758.19 (5) (a) (intro.) of the statutes is amended to read:

circuit

758.19 (5) (a) (intro.) In this subsection, “court costs” means one or more of the following costs:

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.19; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449; Stats. 1977 s. 758.19; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1981 c. 96; 1983 a. 27; 1985 a. 29, 340; 1989 a. 31; 1991 a. 32, 39; 1993 a. 16, 206, 437, 491; 1995 a. 27, 77, 201, 225, 417; 1997 a. 27, 237; 1999 a. 9, 29; 2001 a. 16; 2003 a. 33, 139; 2005 a. 387; 2005 a. 443 s. 265.

Insert 2-5
2

Section #. 758.19 (5) (a) 3. ✓ of the statutes is amended to read:

758.19 (5) (a) 3. Witness fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by the ^{circuit} 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.

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.19; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449; Stats. 1977 s. 758.19; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1981 c. 96; 1983 a. 27; 1985 a. 29, 340; 1989 a. 31; 1991 a. 32, 39; 1993 a. 16, 206, 437, 491; 1995 a. 27, 77, 201, 225, 417; 1997 a. 27, 237; 1999 a. 9, 29; 2001 a. 16; 2003 a. 33, 139; 2005 a. 387; 2005 a. 443 s. 265.

Insert 2-5
3

Section #. 758.19 (5) (a) 4m. of the statutes is amended to read:

758.19 (5) (a) 4m. Fees for expert witnesses appointed under s. 907.06 by the ^{circuit} court on its own motion or by the ^{circuit} court at the request of the district attorney, the state public defender or a private attorney appointed under s. 977.08 or by the ^{circuit} court upon agreement of the 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 fees for an expert witness appointed under s. 907.06.

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.19; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449; Stats. 1977 s. 758.19; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1981 c. 96; 1983 a. 27; 1985 a. 29, 340; 1989 a. 31; 1991 a. 32, 39; 1993 a. 16, 206, 437, 491; 1995 a. 27, 77, 201, 225, 417; 1997 a. 27, 237; 1999 a. 9, 29; 2001 a. 16; 2003 a. 33, 139; 2005 a. 387; 2005 a. 443 s. 265.

insert 2-5
4

Section #. 758.19 (5) (a) 5. of the statutes is amended to read:

758.19 (5) (a) 5. Fees for witnesses or expert witnesses subpoenaed by the ^{circuit} court at the request of the district attorney, coroner or medical examiner under s. 979.06 (1) and (2).

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.19; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449; Stats. 1977 s. 758.19; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1981 c. 96; 1983 a. 27; 1985 a. 29, 340; 1989 a. 31; 1991 a. 32, 39; 1993 a. 16, 206, 437, 491; 1995 a. 27, 77, 201, 225, 417; 1997 a. 27, 237; 1999 a. 9, 29; 2001 a. 16; 2003 a. 33, 139; 2005 a. 387; 2005 a. 443 s. 265.

Insert 2-5
5

Section #. 758.19 (5) (a) 8. of the statutes is amended to read:

circuit

758.19 (5) (a) 8. Any other circuit court costs, except costs related to courtroom security, including security personnel, and costs related to rent, utilities, maintenance, rehabilitation and construction of circuit court facilities.

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.19; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449; Stats. 1977 s. 758.19; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1981 c. 96; 1983 a. 27; 1985 a. 29, 340; 1989 a. 31; 1991 a. 32, 39; 1993 a. 16, 206, 437, 491; 1995 a. 27, 77, 201, 225, 417; 1997 a. 27, 237; 1999 a. 9, 29; 2001 a. 16; 2003 a. 33, 139; 2005 a. 387; 2005 a. 443 s. 265.

Insert
3-2

Section #. 758.19 (5) (g) of the statutes is amended to read:

758.19 (5) (g) Beginning with the submittal of information under par. (e) on July 1, 1995, if the director of state courts determines, based on the information submitted under par. (e), that the payment made to a county under par. (b) for any calendar year exceeds ^{circuit} the court costs incurred by the county for that calendar year, the director of state courts shall deduct the difference from the next payment under par. (b) made to that county after the director's determination. The difference shall be apportioned as provided in par. (c) among the other counties for payment under par. (b) to the other counties on that payment date. For purposes of this paragraph, the director of state courts shall treat the period beginning on August 13, 1993, and ending on December 31, 1994, as a calendar year and determine from the information submitted under par. (e) on July 1, 1994, and July 1, 1995, whether the payment to a county under par. (b) on January 1, 1994, exceeds ^{circuit} the court costs incurred by the county for the period beginning on August 13, 1993, and ending on December 31, 1994.

History: 1971 c. 254 ss. 1, 2, 4 to 16; Stats. 1971 s. 257.19; 1975 c. 37, 189, 199; 1977 c. 29; 1977 c. 187 ss. 97, 135; 1977 c. 305 s. 64; 1977 c. 449; Stats. 1977 s. 758.19; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1981 c. 96; 1983 a. 27; 1985 a. 29, 340; 1989 a. 31; 1991 a. 32, 39; 1993 a. 16, 206, 437, 491; 1995 a. 27, 77, 201, 225, 417; 1997 a. 27, 237; 1999 a. 9, 29; 2001 a. 16; 2003 a. 33, 139; 2005 a. 387; 2005 a. 443 s. 265.

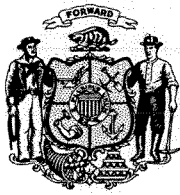
**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0108/4dn
RPN:lmk&wlj:jf

January 17, 2007

I added "circuit" at all of the appropriate places in s. 758.19 (5), for consistency and clarity.

Robert P. Nelson
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State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0108/4
RPN:lmk&wlj:jf

DOA:.....Wavrunek, BB0137 - County report to the director of state courts.

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

COURTS AND PROCEDURE

CIRCUIT COURTS

Under current law, the director of state courts makes payments to counties for the costs they incur in administering the circuit court branches. Current law defines those circuit court costs to include jury fees, witness fees, expert witness fees, and salary and fringe benefits for judicial assistants, and any other court operating costs except costs related to courtroom security, rent, utilities, maintenance and construction of court facilities. Currently, the salary of judges and their court reporters is paid by the state under another provision. Currently, each county is required to submit information about court costs by July 1 of each year for costs incurred in the previous calendar year in a format that is established by the director of state courts.

This bill requires counties to report their reimbursable court costs on a uniform chart of accounts that the director of state courts creates. The bill also changes the date that the counties must report the court costs from July 1 to May 15.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 758.19 (5) (a) (intro.) of the statutes is amended to read:

2 758.19 (5) (a) (intro.) In this subsection, "circuit court costs" means one or more
3 of the following costs:

4 **SECTION 2.** 758.19 (5) (a) 3. of the statutes is amended to read:

5 758.19 (5) (a) 3. Witness fees set under s. 814.67 (1) (b) 1. and (c) for witnesses
6 called by the circuit court on its own motion or called by, or subpoenaed at the request
7 of, a district attorney, the state public defender or a private attorney appointed under
8 s. 977.08. Nothing in this subdivision affects the determination of who is obligated
9 to pay for fees set under s. 814.67 (1) (b) 1. and (c) for witnesses called by, or
10 subpoenaed at the request of the state public defender or a private attorney
11 appointed under s. 977.08.

12 **SECTION 3.** 758.19 (5) (a) 4m. of the statutes is amended to read:

13 758.19 (5) (a) 4m. Fees for expert witnesses appointed under s. 907.06 by the
14 circuit court on its own motion or by the circuit court at the request of the district
15 attorney, the state public defender or a private attorney appointed under s. 977.08
16 or by the circuit court upon agreement of the district attorney, the state public
17 defender or a private attorney appointed under s. 977.08. Nothing in this subdivision
18 affects the determination of who is obligated to pay fees for an expert witness
19 appointed under s. 907.06.

20 **SECTION 4.** 758.19 (5) (a) 5. of the statutes is amended to read:

21 758.19 (5) (a) 5. Fees for witnesses or expert witnesses subpoenaed by the
22 circuit court at the request of the district attorney, coroner or medical examiner
23 under s. 979.06 (1) and (2).

24 **SECTION 5.** 758.19 (5) (a) 8. of the statutes is amended to read:

1 758.19 (5) (a) 8. Any other circuit court costs, except costs related to courtroom
2 security, including security personnel, and costs related to rent, utilities,
3 maintenance, rehabilitation and construction of circuit court facilities.

4 **SECTION 6.** 758.19 (5) (am) of the statutes is created to read:

5 758.19 (5) (am) The director of state courts may create a uniform chart of
6 accounts that each county shall be required to use for the recording of all financial
7 transactions relating to the operation of circuit courts and may audit the information
8 submitted under par. (e).

9 **SECTION 7.** 758.19 (5) (d) of the statutes is repealed.

10 **SECTION 8.** 758.19 (5) (e) of the statutes is amended to read:

11 758.19 (5) (e) No later than ~~July 1, 1994, and no later than July 1~~ the first May
12 15 following the effective date of this paragraph [revisor inserts date], and no later
13 than May 15 of each year thereafter, each county shall submit to the director of state
14 courts, in a format that is established by the director of state courts, and in a manner
15 that comports with the uniform chart of accounts under par. (am), information
16 regarding the amount of actual circuit court costs that the county incurred in the
17 previous calendar year ~~for each of the court costs listed in par. (a) 1. to 8 and revenues~~
18 collected or received by the circuit court in the previous calendar year.

19 **SECTION 9.** 758.19 (5) (f) of the statutes is amended to read:

20 758.19 (5) (f) A county that fails to meet the requirements under par. (e) is not
21 eligible for a payment under par. (b) for one fiscal year, as defined in s. 237.01 (3),
22 after the ~~July 1~~ May 15 that the information was not provided, or until the
23 information is provided, whichever is earlier. Except as provided in this paragraph
24 and par. (g), the information regarding the amount of actual costs reported under par.
25 (e) does not affect the amount paid to a county under par. (b).

