

### Fiscal Estimate - 2015 Session

Original       Updated       Corrected       Supplemental

<b>LRB Number</b> <b>15-1678/1</b>		<b>Introduction Number</b> <b>AB-0139</b>	
<b>Description</b> Small claims court fee			
<b>Fiscal Effect</b>			
<b>State:</b>			
<input type="checkbox"/> No State Fiscal Effect	<input checked="" type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Decrease Costs	
<input type="checkbox"/> Decrease Existing Appropriations			
<input type="checkbox"/> Create New Appropriations			
<b>Local:</b>			
<input type="checkbox"/> No Local Government Costs	<input checked="" type="checkbox"/> Increase Revenue	<b>5. Types of Local Government Units Affected</b>	
<input type="checkbox"/> Indeterminate	<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory		<input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Decrease Revenue		<input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenue		<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
2. <input type="checkbox"/> Decrease Costs	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory			
<b>Fund Sources Affected</b>		<b>Affected Ch. 20 Appropriations</b>	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>	
CTS/ Nancy Rottier (608) 267-9733	Nancy Rottier (608) 267-9733	4/27/2015	

## Fiscal Estimate Narratives

CTS 4/27/2015

LRB Number	15-1678/1	Introduction Number	AB-0139	Estimate Type	Corrected
<b>Description</b> Small claims court fee					

### Assumptions Used in Arriving at Fiscal Estimate

This bill increases the filing fee for small claims actions from \$22.00 to \$50.00. The fees would be distributed as follows: \$20.00 to the state general fund for use by CCAP and \$30.00 to the county general fund where the action is filed.

When filing a small claims action, a party currently pays a total fee of \$94.50. That amount is composed of a \$22.00 filing fee, a \$51.00 Court Support Services Surcharge and a \$21.50 Justice Information System Surcharge.

The revenues collected from these fees and the distribution of these fees are shown on the attached spreadsheet that is a part of this fiscal estimate. Fees to be collected and distributed are governed by chapter 814 of the statutes.

(In addition, s. 814.86 (1m), Stats., requires Milwaukee County to charge an additional \$3.50 for small claims actions. This fee, a special prosecution clerks surcharge, is distributed to the Milwaukee County District Attorney's office. This fee is not affected by this bill and is not shown on the attached spreadsheet.)

To determine the amount of fees that would be generated by this bill, we have used the average of the number of small claims actions filed in the state in the last three years. The number of small claims actions filed is as follows:

2012 – 161,168  
2013 – 148,528  
2014 – 134,742  
Average – 148,146

Using this figure, the bill would raise an additional \$4,148,088 annually, of which \$1,214,797.20 would be paid to the state general fund for use by CCAP and \$2,933,290.80 would be paid to the general funds of the counties.

It is possible the increase in filing fees will provide a disincentive to file small claims cases. If the number of cases filed is reduced, then the fees generated will also be reduced.

### Long-Range Fiscal Implications

## Increase in Small Claims Filing Fee: Analysis of Fiscal Effects

### Increase of Small Claims Filing Fee to \$50.00

Distribution of \$50.00 filing fee is \$30.00 to county general fund and \$20.00 to state general fund for use by CCAP

Small Claims	Current Law		AB 139		Difference
	Each Case	148,146 Cases	Each Case	148,146 Cases	
<b>Revenue</b>					
Filing Fee	\$22.00	\$3,259,212.00	\$50.00	\$7,407,300.00	\$4,148,088.00
CSSS	\$51.00	\$7,555,446.00	\$51.00	\$7,555,446.00	\$0.00
JISS	\$21.50	\$3,185,139.00	\$21.50	\$3,185,139.00	\$0.00
<b>Total Collected</b>	\$94.50	\$13,999,797.00	\$122.50	\$18,147,885.00	\$4,148,088.00
<b>Distribution</b>					
County General Fund	\$10.20	\$1,511,089.20	\$30.00	\$4,444,380.00	\$2,933,290.80
State General Fund	\$52.00	\$7,703,592.00	\$52.00	\$7,703,592.00	\$0.00
CCAP	\$17.80	\$2,636,998.80	\$26.00	\$3,851,796.00	\$1,214,797.20
JISS	\$14.50	\$2,148,117.00	\$14.50	\$2,148,117.00	\$0.00
<b>Total Distributed</b>	\$94.50	\$13,999,797.00	\$122.50	\$18,147,885.00	\$4,148,088.00

### Estimated Net Fiscal Impact for AB 139:

County General Funds	\$2,933,290.80
State General Fund	\$0.00
CCAP	\$1,214,797.20
JISS	\$0.00
<b>Total</b>	<b>\$4,148,088.00</b>

Abbreviations:  
 CSSS = Court Support Services Surcharge  
 CCAP = Consolidated Court Automation Programs  
 JISS = Justice Information System Surcharge