

1973 Senate Bill 561

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CHAPTER 331, Laws of 1973

AN ACT to create 20.855 (2) (c), 59.42 (2) (d) and 59.495 of the statutes, relating to salary supplements to family court commissioners and making an appropriation.

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

SECTION 1. Statement of intent. (1) Our supreme court, in Bottomley v. Bottomley, 38 Wis. 2d 150 stated "... the role of the family court commissioner in divorce matters is so important for the protection of the interests of the state ..." (p. 157); "... The interest of the public must always be taken into account. The family court commissioner is the protector of that public interest."

(2) In recognition of the fact that the family court commissioners perform services that inure to the benefit of the state at large, in addition to the statutory services required to be performed within their own counties; such as collection and enforcement of support payments, often when public funds are involved, and other state-related activities, it is the legislative intent to have the state supplement the income of the family court commissioners, deputies and assistants. No county shall reduce the salary and allowances it is currently providing any family court commissioner, deputy or assistant as of the effective date of this act.

SECTION 2. 20.855 (2) (c) of the statutes is created to read:

20.855 (2) (c) *Family court commissioners' salary supplements.* A sum sufficient to pay the counties the amounts prescribed under s. 59.495.

SECTION 3. 59.42 (2) (d) of the statutes is created to read:

59.42 (2) (d) An additional fee of \$6 shall be assessed against a party initiating an action affecting marriage, and when paid by him shall be paid into the state treasury.

SECTION 4. 59.495 of the statutes is created to read:

59.495 Family court commissioners; salary supplements. (1) In counties having a population of less than 500,000, each family court commissioner, deputy family court commissioner and assistant family court commissioner, who is employed on a full-time basis shall receive, in addition to his present county paid salary, office expenses, supplies and stenographic services as provided in s. 247.17, an annual supplement of \$4,500 per year payable under s. 20.855 (2) (c). The payments shall be made to the county in which he is appointed, and the supplements shall be paid to the family court commissioners, deputy family court commissioners and assistant family court commissioners in at least semimonthly instalments by such counties out of the county treasury.

(2) Each family court commissioner who is employed on a part-time basis shall receive an annual salary supplement of \$2,000 per year in the same manner as prescribed under sub. (1).

(3) In counties having a population of 500,000 or more each family court commissioner, deputy family court commissioner and assistant family court commissioner shall receive for his services \$6,000 per year payable in monthly

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instalments to the treasurer of the county in which he serves to compensate in part the county for the expense of operating such office.
