

1989 Assembly Bill 722

Date of enactment: **April 10, 1990**
Date of publication*: **April 24, 1990**

1989 WISCONSIN ACT 191

AN ACT to amend 818.14; and to create 814.61 (12) (c) of the statutes, relating to: the clerk of court fee for receiving and disbursing contempt deposits.

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

SECTION 1. 814.61 (12) (c) of the statutes is created to read:

814.61 (12) (c) *Deposits in contempt proceedings.* For receiving and disbursing deposits made under s. 818.12 in contempt proceedings under ch. 785, \$10 per deposit. The \$10 fee shall be deducted from the deposit, unless the entire deposit is ordered returned to the defendant, before applying the deposit to the satisfaction of a judgment under s. 818.14.

NOTE: Section 814.61 (12) (c) allows the clerk of court to deduct a \$10 fee for receiving and disbursing a deposit made

in lieu of bail in a contempt proceeding, unless the entire deposit is ordered returned to the defendant. Several counties permit such deposits in contempt proceedings under s. 799.26 (2). This procedure imposes a burden on the court system which is not supported by any existing fee.

SECTION 2. 818.14 of the statutes is amended to read:
818.14 Application of deposit. Where money remains on deposit at the time of judgment for the payment of money to the plaintiff, the clerk shall, under direction of the court, apply the same in satisfaction thereof, and refund the surplus to the defendant, except as provided in s. 814.61 (12) (c). If judgment be for the defendant the clerk shall return the deposit to him.