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Wisconsin Court System

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TABLE OF CONTENTS

History of the W	isconsin Court System	1
Supreme Court		2
Court of Appeals	3	3
	verview	
Circuit Court Ex	penditures and Funding	7
State Ex	penditures	
	Expenditures	
Circuit (Court Revenues	10
Compar	ison of Circuit Court Revenues and Expenditures	12
The Wisconsin I	Legal Process	13
Appendix I	Court of Appeals Districts	17
Appendix II	Circuit Court Branches and Judicial Administrative Districts	18
Appendix III	2014 Circuit Court Caseload Study, by County	19
Appendix IV	State Expenditures on Circuit Courts, by County 2013-14	21
Appendix V	Fines and Forfeitures	23
Appendix VI	Court Fees	24
Appendix VII	Court Surcharges and Payments	27
Appendix VIII	Wholly Retained County or Municipal Fees Collected by the Clerk of Circuit Courts	34
Appendix IX	Revenue Generated from Circuit Court Operations Remitted to State, by County in 2013-14	37
Appendix X	Revenue Generated from Circuit Court Operations Retained by Counties in Fiscal Year 2013-14	39

Wisconsin Court System

This paper is divided into five sections: (a) the history of the Wisconsin court system; (b) Supreme Court organization and current funding levels; (c) Court of Appeals organization and current funding levels; (d) circuit court organization and current funding levels; and (e) an outline of the legal process in Wisconsin.

History of the Wisconsin Court System

The Wisconsin court system was established when Wisconsin became a state in 1848 by Article VII of the Wisconsin Constitution. The state was divided into five judicial districts, with five judges who were required to meet in Madison at least once a year as a Supreme Court. In 1853, a separate Supreme Court was created with three members (one elected as chief justice). Two more members were added in 1877. An amendment in 1889 required that all justices be elected with the longest serving member presiding as Chief Justice. In 1903, the Supreme Court was expanded to its current seven members.

At that time, the Wisconsin Constitution also required separate "probate courts" and allowed for the Legislature to establish inferior courts. As a result, county courts were created with various types of jurisdiction and overlapping authority. In addition, municipalities established police justice courts for enforcement of local ordinances.

In 1962, the court system was reorganized into a two-tiered trial system, with circuit courts and county courts. The state was divided into 26 judicial circuits, of one or more counties and one or more judges. In addition, county courts were created with at least one judge in each county. County courts had exclusive jurisdiction in pro-

bate, mental health, small claims and juvenile proceedings.

Funding for the court system was a combination of state and county appropriations. Supreme Court operations were fully funded by the state. The state paid for salaries and fringe benefits of circuit court judges and court reporters and travel expenses for judges on temporary assignment, while counties paid all other salaries and expenses. In addition, the state paid for the salary and fringe benefits of county judges; however, counties were required to reimburse the state for 50% of these costs. The state also paid annual supplements to counties for family court commissioners. State law authorized counties to pay county supplements to the statutory salaries of circuit and county judges and their court reporters. If supplements were authorized, they were the responsibility of the counties. Municipal courts were funded solely by local units of government.

In 1977, the Constitution was amended to eliminate the requirement of one probate court in each county, and the Legislature passed the "Court Reorganization Act" effective August 1, 1978, merging circuit and county courts into one trial court system. An intermediate level Court of Appeals was also created. The operations of the Court of Appeals were fully funded by the state. Authorization for municipal courts was retained for municipalities to adjudicate local ordinance violations, such as parking enforcement. Municipalities were responsible for any costs relating to those courts.

As a result of court reorganization, the 26 circuit courts were expanded to the current 69, and existing circuit and county judges became judges in the circuit in which their chambers were located (respective court reporters remained with the judge). A circuit court was established in each

county except for three circuits which each contain two counties. All matters pending in county courts were transferred to the circuit court. The Act also phased out four existing judgeships and phased in 13 additional judgeships for a total of 190 circuit court judges in 1980. Fifty-nine judgeships have subsequently been created, including eight judgeships during the 2007 legislative session, bringing the total number of circuit court judges to 249.

Since August 1, 1978, the state has assumed the total cost of salaries and fringe benefits for circuit court judges and court reporters, and per diem payments and travel expenses for reserve judges and court reporters. Counties are responsible for other circuit court operational costs including salaries of clerks of court, court commissioners, courtroom security, clerical staff, office supplies, law libraries, jury costs and other operating costs, however, the state provides payments to counties to offset some of these costs. State funding of circuit court operations is discussed in more detail in the Circuit Courts section below. Operational costs of the Supreme Court and Court of Appeals remain with the state while the full cost of municipal courts has continued to remain with the municipalities that choose to operate a municipal court.

Supreme Court

The Supreme Court is the highest court in the state. The Court has discretion over which cases to hear. Four or more justices must approve a petition for original jurisdiction in a case, and three or more justices are required to grant appellate jurisdiction to review a decision of a lower court.

The Supreme Court consists of seven justices elected, on a nonpartisan basis, to 10-year terms, commencing the August 1st succeeding the election. Only one justice may be elected in any year.

Any mid-term vacancies are filled with gubernatorial appointees until a regularly-scheduled election. The justice with the greatest seniority serves as Chief Justice, unless he or she chooses otherwise. In 2014-15, the annual salary of the Supreme Court Justices is \$147,403, and the Chief Justice is paid \$155,403.

In November, 2013, the Legislature approved on first consideration a constitutional amendment, 2013 Joint Resolution 16, to provide that the Chief Justice be elected to a two-year term by a majority of the justices, rather than having the justice with the greatest seniority serve as Chief Justice. In order for the Constitution to be amended, the resolution must also be adopted by the 2015 Legislature in identical form. After approval on second consideration by the Legislature, the constitutional amendment must be approved by the voters.

In 2014-15, the Supreme Court's budget totals approximately \$31.5 million (all funds) as shown in Table 1. Expenditures in 2013-14 totaled approximately \$26.3 million. The Supreme Court's general operations are funded through a sum sufficient, general purpose revenue (GPR) appropriation that includes salaries and fringe benefits for justices and court staff and operational costs. General fund expenditures are partially offset by filing fees, which generated revenue of \$50,200 in 2013-14.

Table 1: 2014-15 Supreme Court Funding

	Funding	Positions
General Operations	\$5,119,300	38.50
Director of State Courts	19,849,500	130.25
Bar Examiners & Responsibility	3,612,100	35.50
Law Library	2,947,800	16.50
Total	\$31,528,700	220.75

In addition to the general operations of the Supreme Court, the Court is charged with various other responsibilities including providing administrative services to the entire state court system,

regulating the practice of law in Wisconsin and maintaining a state law library. These functions are also funded under the Supreme Court's budget. The Director of State Courts, who is appointed by the Supreme Court, is responsible for the overall management of the judicial system. Such responsibilities include personnel, budget development, judicial education, the circuit court information program, interdistrict court assignments and court planning and research. In 2014-15, the Director of State Courts Office has authorized 130.25 positions and a budget of \$19.8 million, of which \$10.0 million is program revenue (PR) for the circuit court automation programs from various court fees.

Also included under the Supreme Court's budget is the Bar Examiners and Responsibility program, which includes the Board of Bar Examiners and Office of Lawyer Regulation. These entities are funded from: (a) annual assessments to Wisconsin State Bar members; (b) fees for the State Bar examination; (c) State Bar admittance, reinstatements and screening fees; and (d) assessments related to disciplinary actions. The Board and Office are responsible for supervising the practice of law in Wisconsin, protecting the public from professional misconduct by members of the bar, and implementing and enforcing rules for mandatory continuing legal education and the state bar examination. For 2014-15, the Board of Bar Examiners is budgeted at \$766,100 PR and the Office of Lawyer Regulation at \$2,846,000 PR.

The state law library, located in Madison, is also funded under the Supreme Court. The majority of funding for the library is GPR, however, the library also receives program revenue from various copying fees and other services it provides. State law library expenditures in 2013-14 totaled \$2,379,100, of which \$1,979,900 was GPR and \$399,200 was program revenue. Additionally, since 1996, the state law library has contracted with Milwaukee County to operate a legal resource center in Milwaukee. Expenditures un-

der the contract were \$139,800 for 2013-14. In 1997, a second contract with Milwaukee County was signed to provide each of the Milwaukee County circuit court judges with basic library resource materials; 2014-15 expenditures for this service were \$35,000. The state law library also provides books for the Milwaukee circuit court judges' chamber collection, whose costs are reimbursed by the county. Finally, in January, 1999, the Director of State Courts signed a contract with Dane County to operate the Dane County Legal Resource Center. Expenditures under the contract were \$75,700 for 2013-14. Law library services in other counties are provided by the county.

Court of Appeals

The Court of Appeals was mandated by a constitutional amendment on April 5, 1977. The Court of Appeals has supervisory authority over all actions and proceedings in all state courts, except the Supreme Court. Any final judgment or order made in the circuit courts may be appealed in the Court of Appeals as a matter of right.

The Court of Appeals had 12 judges when it was created in 1977. Today, there are four appellate districts in the state (as shown in Appendix I) with 16 judges. Appellate judges are elected, on a nonpartisan basis, for six-year terms beginning on August 1st following the spring election. In 2014-15, the annual salary of the appellate judges is \$139,059.

The Supreme Court appoints a chief judge who serves a three-year term as the administrative head of the four appellate districts, and who selects a presiding judge in each of the districts. Judicial vacancies within the Court of Appeals are filled by gubernatorial appointment until a successor is elected. Table 2 shows the location of the chambers of each district and the number

of judges assigned to that district.

The state pays all costs of the Court of Appeals. By statute, a Court of Appeals judge may hire a secretary and a law clerk. In total there are 75.5 positions funded under the Court of Appeals. As with the Supreme Court, the Court of Appeals' operations are funded through a sum sufficient GPR appropriation. In 2013-14, expenditures totaled \$10,031,700, which were partially offset by \$192,200 from filing fees for appeals cases. In 2014-15, the Court of Appeals has a budget of \$10,407,200.

Table 2: Court of Appeals

	Number of Judges
District I (Milwaukee)	4
District II (Waukesha)	4
District III (Wausau)	3
District IV (Madison)	5

Circuit Court Overview

The circuit court is the trial court of general jurisdiction in Wisconsin, having original jurisdiction in civil and criminal cases, unless that jurisdiction is assigned to a higher court. The Wisconsin Constitution specifies that there will be judicial circuits with judges elected within those circuits. There are a total of 69 circuits and 249 branches and judges. In general, each county is its own circuit, except for three, two-county circuits including Buffalo and Pepin, Menominee and Shawano, and Florence and Forest (as shown in Appendix II). The 249 branches are divided into 10 judicial districts with a chief judge for each district appointed by the Supreme Court.

The number of court branches (judges) is statutorily determined. The Office of the Director of State Courts periodically requests the creation of additional court branches primarily based on: (a) a weighted caseload study; (b) district judicial need (the ability for neighboring circuits to cover additional workloads); (c) discussions with chief judges regarding problems handling current caseloads; and (d) the passage of a county board resolution in support of the creation of a new court branch.

Appendix III shows the most recent weighted caseload study (2014) by county. It should be noted that prior to 2007, weighted caseload studies were based solely on the number of judgeships in each county. In order to better reflect each county's judicial officer need, the Director of State Courts Office updated the caseload study methodology to also include the number of court commissioner positions. Further, the appendix identifies the number of district chief judges needed for each judicial administrative district. Chief judges are responsible for administrative activities within each of the judicial districts.

Judges are elected on a nonpartisan basis to six-year terms at the spring election and take office the following August 1st. Any vacancies that occur mid-term are filled by the Governor until a successor is elected. In 2014-15, the annual salary of circuit court judges is \$131,187.

In addition to the circuit judge, there are other staff that support court operations, a number of which are described below.

Reserve Judges. Wisconsin Statutes section 753.075 allows the Chief Justice of the Supreme Court to appoint a judge who has served a total of six or more years as a Supreme Court Justice, Court of Appeals judge or a circuit court judge to serve as a reserve judge. Also, a person may serve as a reserve judge if he or she was eligible to serve as a reserve judge before May 1, 1992, (anyone who, as of May 1, 1992, had served four or more years as a judge or justice and who had not been defeated in his or her last reelection). A reserve judge may perform the same duties as other judges, or as specified by the Chief Justice.

Reserve judges typically fill in for sitting judges who are absent, or for temporary vacancies.

As of December, 2014, there were 95 former judges who were certified as reserve judges. Reserve judges are state funded, and currently receive \$449.61 per day for circuit court work (reserve judge compensation is increased at the same percentage that the salaries of circuit court judges increase). Under 2005 Act 403, reserve judges' salaries are established at 90% of the daily salary of a judge, rather than at a statutorily-specified per diem. In 2013-14, per diem payments and travel reimbursements for reserve judges totaled \$658,800 GPR.

Court Reporters. Section 751.02, of the statutes, authorizes each judge to appoint a court reporter to record and transcribe testimony in court proceedings. Over the years, some additional court reporter positions have been approved to handle increased workloads. Currently, the state pays the salaries and fringe benefits of 278 court reporters. Salaries for court reporters in 2014-15 range from \$38,200 to \$70,400 annually. In addition, the state pays daily fees to private court reporters filling in for absent reporters on a temporary basis (\$197 per day for uncertified reporters and \$215 per day for certified reporters).

District Court Administrators. Supreme Court Rule 70.16(4) defines a district court administrator as a state employee who is qualified to: (a) provide administrative and technical assistance; and (b) to assist the chief judge in carrying out his or her duties and responsibilities. The chief judge appoints a district court administrator from a list of candidates supplied by the Director of State Courts. The chief judge may reject a list and request one additional list of candidates. Each district (identified in Appendix II) has a district court administrator. District I, Milwaukee County, also has an assistant district court administrator.

Clerks of Circuit Court. The Wisconsin Con-

stitution provides that each county organized for judicial purposes shall have a clerk of the court who shall be an elected official and hold office for a two-year term. This is the only trial court officer required by the Constitution. The duties of a clerk of court may include keeping court papers, books and records; collecting and sending payments to the county treasurer for the state and the county's portion of fines, forfeitures, fees and surcharges; collecting and disbursing maintenance and support payments; performing duties with respect to jurors; and caring for the county law library, in addition to other duties required under law or in order to assist with court needs. Under state statute, counties with more than one circuit court branch may appoint one or more deputies for each branch. In counties with a population of more than 500,000, the clerk of court must appoint an assistant chief deputy clerk to assist in criminal and ordinance matters. The county pays for the full cost of clerk of court positions.

Circuit Court Commissioners. Court commissioners are authorized to assist with certain judicial duties and are appointed by the chief judge of the district. The county board establishes the salaries and number of commissioners, with some exceptions depending on the population of the county. The positions are funded by the county.

All counties are required to appoint a circuit court commissioner to supervise the office of family court commissioner. Counties may appoint one or more court commissioners on a part-time or full-time basis to assist in juvenile matters. Any county having a population of 500,000 or more is required to appoint a court commissioner for the office of probate court commissioner to assist in probate matters. Counties with a population of at least 100,000 but not more than 500,000 may establish a court commissioner position to supervise the office of probate court commissioner. Any county having a population of 500,000 or more is required to appoint a full-

time court commissioner to assist in small claims procedures. Counties with a population of less than 500,000 may appoint a court commissioner to assist in small claims procedures.

Each circuit court commissioner must be licensed to practice law in Wisconsin and must take an official oath in the office of the clerk of court. The court commissioner has authority delegated by a judge with the approval of the chief judge which may include the following: (a) issue summons, arrest warrants or search warrants; (b) conduct initial appearances and set bail; (c) conduct preliminary examinations and arraignments and accept guilty pleas; (d) receive non-contested forfeiture pleas, order revocation or suspension of operating privileges, impose monetary penalties and refer cases to court for enforcement of nonpayment; (e) conduct initial return appearances and conciliation conferences; (f) conduct non-contested probate proceedings; (g) conduct detention and shelter care hearings for children; (h) review guardianships and protective placements; (i) officiate wedding ceremonies; (j) conduct paternity proceedings; and (k) other judicial duties depending on the needs of the court.

Registers in Probate/Probate Register. Wisconsin statute 851.71 requires the judges of each county to appoint a register in probate, subject to the approval of the chief judge. Registers in probate file and keep probate records (such as wills, trusts, and probate court records), certify court records and perform other duties as prescribed by the judge. In addition, registers in probate have the same powers as clerks of court to certify copies of papers and judicial proceedings, have the power to administer any oath required by law, may have the powers of deputy clerks when appointed for this purpose, and may make orders for hearings when the judge is absent or when given authority. The salary of the register in probate is set and paid by the county.

In addition, Wisconsin statute 865.065 requires the court to designate, by a written order,

an official to act as probate registrar. The probate registrar is usually the register in probate, but may be the clerk, deputy clerk, deputy register in probate or a court legal assistant designated by the court. Duties of the probate registrar include verification of applications for informal administration of properties; determination of whether an individual died with or without a will and whether the original will is in possession of the court; determination of whether the person nominated as personal representative is not disqualified or unsuitable; and determination that no demand for formal administration has been made and a will has not been probated elsewhere.

Court Security Officers (Bailiffs). Wisconsin statute 59.27 requires the sheriff of each county to provide a list of deputies for attendance at court when such list is requested by the court. The court may authorize additional bailiffs for security during criminal matters. The county board sets the rate of compensation and the level of service to be provided by the bailiffs in circuit court. In addition, the sheriff or a deputy is required to attend the Court of Appeals when it is in session. Compensation for bailiffs attending the Court of Appeals is funded by the state, through the Court of Appeals' general operations appropriation, in the amount of the actual salary paid to the sheriff or deputy.

Other Support Staff. In addition to the positions listed above, there are a number of support staff who assist in circuit court operations. Judges may have a law clerk or judicial assistant. In general, law clerks perform legal research and draft memoranda and decisions for the judge. Judicial assistants assist with case and calendar management, schedule court hearings, trials, conferences and legal appointments; send notices to parties and attorneys; act as receptionists; and perform general clerical tasks. In some counties, such help is provided part-time, in others these duties may be accomplished by the existing court reporter, clerk of court staff or the judge.

Under 1997 Act 27, cities of the first class (currently, only the City of Milwaukee) were allowed to create offices of municipal court commissioners. Municipal court commissioners are authorized to preside over certain criminal proceedings, including conducting certain initial appearances; receiving non-contested forfeiture pleas; ordering revocation or suspension of driving privileges; imposing forfeitures, community service or restitution; and issuing warrants for nonappearance.

Expenditures for court support staff are primarily the responsibility of the county; however, the state pays the salary and fringe benefits of court reporters and provides payments to counties that may be used to offset costs of judicial assistants and other county court costs.

Court Appointees. Individuals may be appointed to participate in court proceedings in some function. Appointments may be made by the court, attorneys for the plaintiff or defendant, or may be required by statute on a case-by-case basis. Court appointees include witnesses and expert witnesses, guardians ad litem, jurors, or interpreters. Appointees are paid on a daily, hourly or contractual basis. In some instances, the plaintiff or defendant is required to pay these costs, in other cases the county directly pays for these appointments. State funding is available to defray some of these costs, through the interpreter reimbursement and the guardian ad litem and circuit court support payment programs.

Circuit Court Expenditures and Funding

State Expenditures

Circuit court operations have historically been funded through a combination of state and county funding. The state pays the costs of salaries and fringe benefits for circuit court judges and court reporters, and the per diem costs for reserve judges and court reporters. In addition, the state provides funding to the circuit courts under the Supreme Court's appropriations. The Director of State Courts Office performs certain administrative function for circuit courts, including the Office of Court Operations and district court administrators. The Supreme Court also provides judicial education to circuit judges. In 2013-14, the state expended \$71.9 million on these circuit court costs.

While counties are responsible for other circuit court operational costs, including salaries of clerks of court, court commissioners, courtroom security, clerical staff, office supplies, law libraries, and jury costs, the state also provides payments to counties that may be used to offset some of these costs. These programs include: (a) circuit court support payments; (b) guardian ad litem (GAL) costs; and (c) court interpreter fee reimbursements. Finally, the state provides automation services and equipment through the Circuit Court automation program (CCAP). In 2013-14, the state expended \$29.6 million on the programs, which are summarized below.

In total, the state expended \$102.0 million on the circuit court system in fiscal year 2013-14, as identified in Table 3. Appendix IV identifies state expenditures for each county in 2013-14 (the amounts identified in the appendix for the court support payments, guardian ad litem payments, and interpreter reimbursement are for calendar year 2013).

Table 3: State Expenditures on Circuit Courts, 2013-14

Judges and Court Reporters	\$67,866,700
Director of State Courts (prorated)	943,100
Office of Court Operations	974,900
District Court Administrators	2,066,500
Judicial Education	526,100
CCAP	7,556,300
Court Support Payments	16,697,000
Guardian Ad Litem Payments	4,222,000
Interpreter Reimbursement	1,139,400
Total	\$101,992,000

Circuit Court Support Payments. Under 1993 Wisconsin Act 16, the circuit court support grant program was created. The program was originally created to partially offset county costs of juror and witness fees and judicial assistants and was based on the number of circuit court branches (judges). In 1993 Act 206, the program was changed from a grant program to a payment program which specified that, except for the annual report of costs, no action is required of and no condition be imposed on a county to receive a payment. Under 1995 Wisconsin Act 27, the eligible uses under the program were expanded to include any county court costs excluding security, rent, utilities, maintenance, rehabilitation, or construction of court facilities.

Funding for circuit court support payments to counties is \$18,552,200 GPR annually (under the 2013-15 biennial budget act a 10% reduction was implemented as a result of a biennial lapse requirement, reducing funding to \$16,697,000). Current law awards payment amounts as follows: (a) each county receives a base payment of \$42,275 per branch/judge (or a proportional amount of \$42,275 based on caseload if two counties share a branch); (b) each county with one or fewer circuit court branches receives an additional \$10,000; and (c) counties with more than one circuit court branch receive an additional payment equal to the county's proportion of the state population times the amount remaining after funding for base payments and payments to counties with one or fewer branches have been allocated.

Guardian Ad Litem Costs. Since 1993 Wisconsin Act 16, counties have also been provided funding to offset the costs of guardian ad litem services. A guardian ad litem (GAL) is an attorney appointed by the court for persons (usually minor children) in certain proceedings, who is an advocate for the best interests of the person. Under 1995 Act 27, the program was modified from a reimbursement program to a payment program with amounts distributed based on each county's

proportion of: (a) court branches; (b) revenue generated by the court support services fee (explained below); and (c) cases that would likely involve GAL services as determined by the Director of State Courts. No county may receive a GAL payment in an amount exceeding the total cost of GAL compensation that the county incurred under family, children and juvenile proceedings in the previous calendar year. Funding for GAL costs is \$4,691,100 GPR annually (under the 2013-15 biennial budget act a 10% reduction was implemented as a result of a biennial requirement. lapse reducing funding to \$4,222,000).

Court Interpreter Fees. The state reimburses counties for the circuit court costs associated with interpreters for persons with limited English proficiency. "Limited English proficiency" (LEP) is defined as the inability to adequately hear, understand or communicate effectively in English due to either: (a) use of a language other than English; or (b) a speech impairment, hearing loss, deafness, deaf-blindness, or other disability. If the court determines that a person has LEP and that an interpreter is necessary, the court is required to advise the person that he or she has the right to a qualified interpreter at the public's expense, if the person is one of the following:

- a. a party in interest;
- b. a witness, while testifying in a court proceeding;
 - c. an alleged victim, as defined by statute;
- d. a parent or legal guardian of a minor party in interest or the legal guardian of a party in interest; or
- e. another person affected by the proceedings, if the court determines that the appointment is necessary and appropriate.

If a person with a hearing impairment is part of a jury panel, the court must appoint a qualified interpreter for that person. In addition, statutory provisions authorize the use of interpreters in the following circumstances:

- a. if the person with LEP requests assistance of the clerk of circuit courts regarding a legal proceeding, the clerk may provide the assistance of a qualified interpreter to respond to the person's inquiry;
- b. with approval of the court, interpreter services outside the courtroom that are related to the court proceedings, including court-ordered psychiatric or medical exams or mediation;
- c. in other actions or proceedings authorized by the court; and
- d. the court may appoint more than one qualified interpreter in a court proceeding when necessary.

Counties are required to pay interpreter expenses in all proceedings before the circuit court and when the clerk of circuit courts uses a qualified interpreter. [Except for costs for interpreters assisting the State Public Defender in preparing for court proceedings, where the Public Defender pays these costs.] To receive state reimbursement, counties must submit forms to the Director of State Courts accounting for interpreter expenses for the preceding three-month period. The Director of State Courts then reimburses for the interpreter expenses, as follows: (a) \$40 for the first hour and \$20 for each additional 0.5 hour for qualified interpreters certified under the requirements and procedures approved by the Supreme Court; (b) \$30 for the first hour and \$15 for each additional 0.5 hour for qualified interpreters; and (c) for mileage, 51 cents per mile.

As of December, 2014, the Director of State Courts Office has certified, or recognized through reciprocity with other states, a total of 134 interpreters (85 in Spanish, 21 in American Sign Language, seven Deaf Relay, five in Russian, four in Polish, two in Hmong, two in

French, two in Mandarin, and one interpreter each for German, Vietnamese, Laotian, Somali, Bosnian-Serbian-Croatian, and Cantonese). Of the total, 82 interpreters are currently listed on the courts' roster for use. Further, the Director of State Courts currently has six authorized interpreters in languages where no oral certification exam exists, including Bulgarian, Hindi, Punjabi and Urdu, Romanian, Serbian-Croatian, and Yoruba). The court interpreter fees reimbursement program expended \$906,700 GPR in 2013-14 is budgeted \$1,433,500 GPR in 2014-15.

Circuit Court Automation Programs (CCAP). The circuit court automation program was created in 1987-88 to provide uniform software applications to counties, including circuit court case management, jury management, financial management, court calendaring, and training on the computer system. Counties have the option of using the state CCAP system and receiving hardware, software, technical support, and training from the state or having their own system and receiving reimbursement from the state. The case and financial management systems have been installed in all of the state's 72 counties.

Operations for CCAP are supported through PR funding received from a variety of court-related fees, as follows:

- a. \$15 of the filing fee to commence civil or family actions or to change venue in such actions (\$75-\$105, depending on type of action);
- b. \$5 of the \$45 filing fee for third-party complaints in civil actions;
- c. \$5 of the fee to appeal or review a municipal court or administrative decision (\$40 or \$55, depending on whether a new trial is requested);
- d. \$5 of the \$20 fee to commence garnishment actions;

- e. \$11.80 of the \$22 filing fee to commence or change venue in small claims actions;
- f. \$10 of the \$53 fee for filing a counterclaim or cross complaint in small claims actions; and
 - g. \$5 of the \$25 fee in forfeiture actions;
- h. \$6 of the \$21.50 justice information systems surcharge, which is applied to above-referenced actions.

In 2013-14, revenue generated from the above fees totaled \$7,600,400, and CCAP expended \$7,556,300 PR. For 2014-15, CCAP has a base budget of \$10,001,100 PR to install and maintain system hardware and software applications, replace obsolete hardware and software, train county staff, and provide ongoing technical assistance for all components of the system.

County Expenditures

Data on county expenditures for circuit courts are limited. Each year counties report "judicial expenditures" to the Department of Revenue (DOR), which are described as expenditures involving the "circuit court, clerk of courts, probate court, family court commissioner, law library, public defenders for indigent defendants, coroner, etc." In calendar year 2013, counties reported expenditures totaling \$192.0 million. However, because there is an array of items that counties could list as judicial costs, the consistency of reports among counties is uneven. For instance, some counties report facility costs such as renovation and construction while others do not. Some counties may include the total operational cost of the courthouse, including other entities located on the premises (such as the district attorney's office and other local offices), while other counties only report the portion allocated for court operations. In addition, some costs that counties report, such as coroners, may be viewed as unrelated to court costs

To address the issue of limited data on county judicial expenditures, statutory language was created to require counties to report "actual court costs" on all court functions except costs related to courtroom security, rent, utilities, maintenance, remodeling and construction. Counties reported spending \$199.2 million in calendar year 2013 on all court costs, of which \$158.2 million were allowable under the circuit court support payment program.

It should be noted that concerns regarding inconsistencies in reporting among counties led to 2007 legislation authorizing the Director of State Courts to create a uniform chart of accounts that counties must use for recording all financial transactions for court operations. The Director of State Courts has completed audits on all 72 counties and made a number of recommendations to improve the reporting of county financial information. For example, some counties did not include family court counseling in their court operation expenditures, and some counties reported the net amount of their revenues and expenditures, rather than reporting total revenues and expenditures separately. New audits will begin in 2015, and the Director of State Courts will continue to work with counties to resolve any outstanding inconsistences.

Circuit Court Revenues

Revenues generated by the circuit courts include amounts collected from fees, fines, forfeitures, and surcharges imposed by the court. Appendices V to VII provide a description of all the statutory fees, fines, forfeitures, and surcharges and indicate whether amounts collected are either retained by the state or shared between the state and counties. Appendix VIII lists court fees that are wholly retained by the county. The appendices identify how the collected revenues are dispersed.

Fines and Forfeitures. Fines are levied in criminal actions while forfeitures are imposed in

civil enforcement actions (such as most traffic violations). Fine and forfeiture amounts vary depending on the specific violation. Article X, Section 2, of the Wisconsin Constitution, requires that the clear proceeds from fines and forfeitures collected by counties be deposited to the state's common school fund, for the support and maintenance of Wisconsin public schools and the "purchase of suitable libraries." Under s. 59.25(3)(j) and (m), the Legislature has authorized counties to retain, as an administrative fee, 10% of state fines and forfeitures, except for the following: (a) 50% of motor vehicle forfeitures and fines (excluding state motor vehicle size, weight and load forfeitures and fines, for which counties retain 10%); and (b) 50% of occupational driver's license fees. In 2013-14, the state received a total of \$16,115,500 from fines and forfeitures. Appendix V identifies the statutory provisions related to fines and forfeitures.

Court Fees and Surcharges. Fees are typically assessed at the initiation of an action, and revenues collected are retained by the county, sent to the state or split between the county and the state, depending on the court fee involved. Examples of court fees include fees for the following: (a) to commence legal actions or appeals; (b) to file and docket judgments; (c) to file petitions or motions; and (d) to utilize mediation in family actions. Appendix VI identifies court fees and their statutory provisions.

In addition to court fees, the Legislature has created various surcharges on certain fines and forfeitures to generate additional revenue for state programs. The amounts of most surcharges are based on either percentages of the fine or forfeiture or a flat amount, depending on the surcharge. The first surcharge, created in 1977, was the penalty assessment, created primarily to provide funding for training the state's law enforcement officers. Since then the number of surcharges and other court-ordered payments has steadily grown. Examples of surcharges include the justice information systems surcharge, the

penalty surcharge, crime victim and witness assistance surcharge, and drug offender diversion surcharge. Appendix VII provides a list of statutory surcharges and how the surcharge revenue is utilized.

The surcharge that generates the most revenue for the state is the court support services surcharge. While funding for the circuit court support and GAL payment programs is provided from the general fund, the court support services surcharge was created in 1993 to offset the costs of these programs to the state. Revenue generated from the surcharge is deposited to the state's general fund and not directly appropriated to the courts. The surcharge was originally a \$20 fee on all forfeiture judgments and most civil court filings. Under 1995 Act 27, the surcharge was increased and modified according to the type of claim filed. The surcharge was increased 30% under 2001 Act 109. Under 2003 Act 33, the surcharge was further increased by 30% and is now: (a) \$51 for various small claims filings; (b) \$169 for various large claims filings; and (c) \$68 for forfeiture action judgments, appeals from municipal courts or administrative decisions, and certain court filings not covered under (a) or (b) above. In 2013-14, the court support services surcharge generated \$38,377,900 in revenue.

In addition to the court support services surcharge revenue, the state collected \$53,411,300, from other court fees and surcharges in 2013-14. Much of this revenue is designated for specific programs, such as law enforcement training, victim/witness assistance, drug abuse treatment, and domestic abuse. Appendix IX identifies the amount of revenue generated in 2014 from fines and forfeitures, court fees, the court support services surcharge, and other surcharges by each county.

Similar to county expenditures, there are inconsistencies with reporting of counties' share of circuit court revenue. Counties report separately to DOR and to DOA the amount of revenue collected from the operation of the court system. For 2013-14, counties reported to DOA that their share of total circuit court revenue was \$31,363,300. For calendar year 2013, counties reported to the Department of Revenue that their share of circuit court revenue was \$52,486,200.

Much of the difference in reported revenues results from fees wholly retained by counties (such as copy and jury fees) which are not reported to DOA, but may be included in the report to DOR. Also, differences may result from differing reporting periods (state fiscal year compared to calendar year data). In addition, counties report to DOA on a monthly basis, whereas DOR expenditures are reported annually. Therefore, revenue that counties receive in one month may be attributed to actions completed in a prior month, and may not be consistently captured in the monthly reports to DOA. Further, data reported to DOA is detailed by statutory cite; for example the penalty surcharge and the weapons surcharge separately. Data are reported to DOR in three broader categories: (a) law and ordinance violations; (b) court fees and costs; and (c) probate fees. In addition, data reported to DOA do not include the restitution fee, the restitution administrative surcharge or the crime prevention organization contribution. Appendix X provides a county breakout of the data reported to DOA.

Comparison of Circuit Court Revenues and Expenditures

Based on the information reported to DOR, in calendar year 2013, counties spent \$192.0 million on circuit court operations and received \$52.5 million in court collected revenues. The difference of \$139.5 million is primarily funded through local taxes and unrestricted state aid payments, such as shared revenue. Counties will receive \$157.0 million in county and municipal and public utility aids in 2014 (\$122.7 million in county and municipal aid and \$34.3 million in public utility aid).

State expenditures are reported based on a fiscal year, beginning on July 1st of one year and ending on the following June 30, so that a direct comparison cannot be made between county calendar year and state fiscal year expenditures and revenues. The state spent \$101.5 million in 2013-14 for the circuit courts and, as reported by the Director of State Courts from information reported to DOA, received \$107.9 million in revenue from fines and forfeitures, court fees, and surcharges. Much of the revenue received by the state, while still offsetting total state costs, is earmarked for specific programs, such as schools, law enforcement training, victim/witness assistance, drug abuse treatment and domestic abuse.

While direct comparisons may be of limited value given the inconsistencies in reported data and the differences between the calendar year and state fiscal year, Table 4 indicates that total circuit court operating expenditures exceeded revenue collected by circuit courts by approximately \$133.1 million. These expenditures are largely financed at the state level by revenue collected from general state taxes; and at the county level by local property taxes, state shared revenues and state-funded mandate relief, and state-funded circuit court support and GAL payments, and interpreter reimbursement programs.

Table 4: Circuit Court Expenditures and Revenues at the State and County Levels (in Millions)

	Fiscal Year 2013-14 State	Calendar Year 2013 County
Revenues Expenditures	\$107.9 	\$52.5 192.0
Expenditures Over Revenues	\$6.4	- \$139.5

The Wisconsin Legal Process

Both state and federal courts have jurisdiction over Wisconsin citizens. State courts generally only handle cases involving state laws; however, the federal government may give state courts jurisdiction over certain federal questions. The following is an outline of the state's civil and criminal court processes. It should be noted that this is a general overview and does not address the detailed specifics of each type of case (for example, certain civil procedures may vary for small claims or family matters). This overview does not include a description of juvenile court proceedings. Information on court proceedings in juvenile matters can be found in the Legislative Fiscal Bureau's informational paper entitled, "Juvenile Justice and Youth Aids Program."

Civil Cases

Civil cases involve individual claims in which a person seeks a remedy for some alleged wrong done by another. In general, the complaining party (plaintiff), may sue the offending party (defendant), for payment of injuries suffered by the complaining party, if the complaining party suffered a wrong for which the law provides a remedy. The general process is outlined below:

- a. Plaintiff files a summons and complaint with the circuit court.
- b. Defendant is served with copies and a summons directs the defendant to respond (answer) to the plaintiff.
- c. Various pretrial proceedings occur including motions, pretrial conferences, discovery and formal or informal negotiations between the parties.
- d. In most cases, a settlement is reached at this point and court proceedings end. However,

for the remainder of cases trial preparations continue, although a settlement may still occur either before trial or during trial.

- e. Under state and federal law, trial by jury is guaranteed but, if both parties consent, a trial may be conducted without a jury. For civil cases in Wisconsin state court, the jury consists of six persons, unless a greater number (not to exceed 12) is requested.
- f. Final judgment -- if a jury is present, five-sixths of the jurors must agree on the verdict. The court (judge) makes a judgment for the plaintiff or the defendant based on the verdict. The plaintiff must typically prove his or her case by a preponderance of the evidence (that is, jurors must be convinced that the plaintiff's evidence is more persuasive, otherwise the verdict should be for the defendant).
- g. Final judgment -- if a jury trial has been waived, the court (judge) makes a judgment for the plaintiff or the defendant based on trial testimony and evidence. Either party may file for reconsideration of the circuit court's decision based on new information.
- h. Court of Appeals -- a final judgment may be appealed to the State Court of Appeals. The court must accept the appeal. The appellate court may uphold or reverse, in whole or in part, the decision of the circuit court.
- i. Supreme Court -- either party may petition for review by the Supreme Court of a lower court's opinion. However, the Supreme Court has the authority to accept or refuse to hear the appeal. The Supreme Court is the court of final authority in Wisconsin, except for cases involving federal issues appealable to the U.S. Supreme Court.

Criminal Cases

A criminal case involves an act prohibited by state law and punishable by fine or imprison-

ment, or both. Civil enforcement actions, such as most traffic violations, are distinguished from criminal actions in that a forfeiture (payment) may be imposed (much like a criminal fine), but imprisonment cannot be imposed (except under the court's contempt powers for failure to comply with a court order). There are two types of crimes: felonies and misdemeanors. A felony may be punishable by imprisonment in the state prison. Misdemeanors include all criminal cases that are not felonies. In general, misdemeanors have maximum sentences of less than one year in a county jail, unless the statutes state otherwise (for example, some misdemeanors are punishable only by fines). The criminal process is outlined below.

- a. The state brings action against the defendant. Typically, the prosecutor files a criminal complaint in the circuit court stating the essential facts of the offense.
- b. In the case of a felony, if the defendant has not been arrested at the time of the filing of the criminal complaint, the judge or court commissioner issues a warrant for arrest. Law enforcement officers must execute a warrant and make an arrest. A summons to appear is issued for a misdemeanor. A summons may be delivered through the mail.
- c. The defendant may be taken into custody and appears before a judge or court commissioner, and informed of the charges and the right to be represented by a lawyer. If the defendant is found to be an eligible indigent, an attorney will be appointed by the State Public Defender. Bail may be set at this time (either a cash amount or a signature bond) to assure the defendant's appearance at future proceedings. If bail cannot be produced, the defendant is held in the county jail.
- d. For a misdemeanor, the accused is asked to enter a plea and a trial date, if necessary, is set. [Go to g.]

- e. For a felony, the defendant has the right to a preliminary examination, which is a hearing in the circuit court to determine whether the state has probable cause to charge the individual. If probable cause is found or if the preliminary examination is waived, an arraignment is held.
- f. At the arraignment, the defendant enters a plea of guilty, not guilty, no contest or not guilty by reason of mental disease or defect. (Arraignments typically occur on the same date as the preliminary hearing).
- g. Most criminal cases are decided before trial (typically by a plea of guilty or no contest, but sometimes through a dismissal or other action). However, if a trial occurs, the case is heard in the circuit court in front of a judge and a jury of 12, unless both parties waive the right to a jury trial or there is an agreement between the parties for fewer jurors.
- h. Jury trial -- the jury considers the evidence presented at the trial, determines the facts and renders a verdict of guilty or not guilty. Jurors must be convinced of the defendant's guilt beyond a reasonable doubt. The verdict must be unanimous. If the jury cannot make an unanimous decision, it is referred to as a "hung" jury. The defendant may be retried by a new jury at the discretion of the district attorney.
- i. No jury trial -- the judge makes the ruling of guilty beyond a reasonable doubt or not guilty.
- j. A not-guilty judgment -- the defendant is cleared of alleged fault or guilt (acquitted) and cannot be tried again for the same offense ("double jeopardy").
- k. If guilt is determined (either through a guilty plea or trial verdict), the court (judge) enters a judgment of conviction and determines the penalty (sentencing) for the crime within the statutory range. A defendant may also plead no contest which results in the same criminal conse-

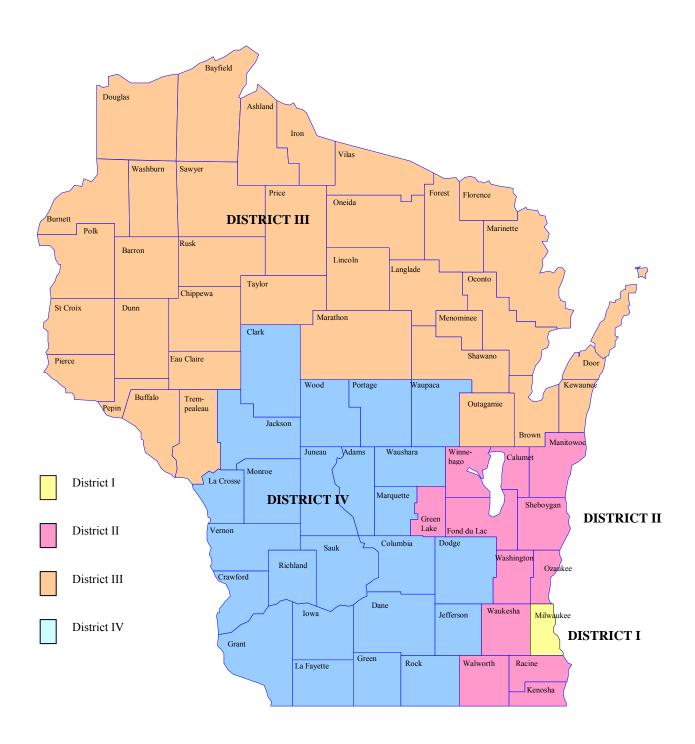
quences as a plea of guilty, but the plea cannot be used in civil litigation against the defendant. [See Legislative Fiscal Bureau's informational paper entitled, "Felony Sentencing and Probation" for more information on sentencing.]

l. Court of Appeals -- a final judgment may be appealed to the State Court of Appeals. The Court must accept the appeal. The appellate court may uphold or reverse the decision of the circuit court.

m. Supreme Court -- either party may petition for review of a lower court's opinion by the Supreme Court. However, the Supreme Court has the discretion to decide which cases it will hear. The Supreme Court is the court of final authority in Wisconsin, except for cases involving federal issues appealable to the U.S. Supreme Court.

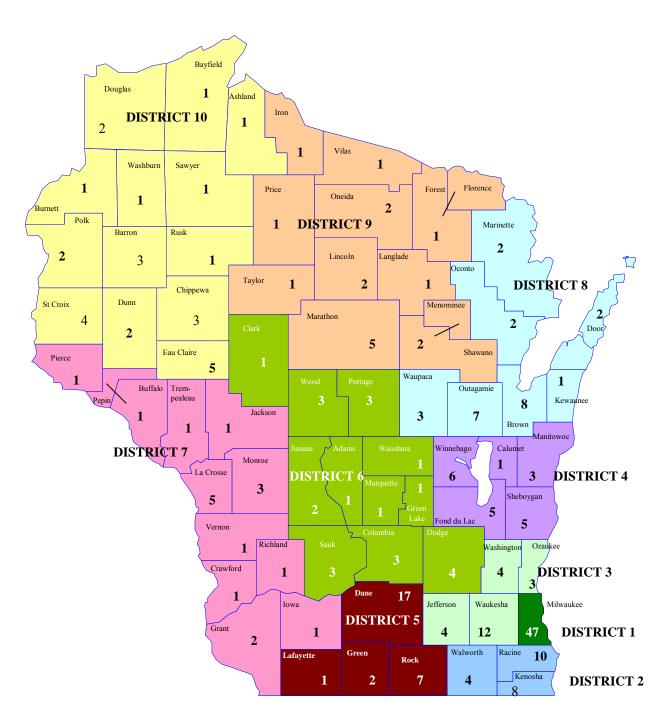
APPENDIX I

Court of Appeals Districts



APPENDIX II

Circuit Court Branches and Judicial Administrative Districts



10 Judicial Administrative Districts for Circuit Court Branches

249 Total Circuit Court Branches

APPENDIX III

2014 Circuit Court Caseload Study By County

County	Caseload Study	Current	Current Number of	Judicial
	of Judicial	Number	Court Commissioners	Officer
	Officer Need	of Judges	(Estimated)	Need
Adams	1.33	1	0.30	0.02
Ashland	1.01	1	0.04	-0.02
Barron	3.00	3	0.11	-0.11
Bayfield	0.89	1	0.10	-0.21
Brown	12.79	8	4.00	0.79
Buffalo & Pepin	1.07	1	0.15	-0.08
Burnett	1.25	1	0.32	-0.07
Calumet	1.60	1	0.50	0.10
Chippewa	3.52	3	0.40	0.12
Clark	1.26	1	0.10	0.16
Columbia	3.39	3	0.40	-0.01
Crawford	0.63	1	0.04	-0.41
Dane	22.33	17	9.20	-3.87
Dodge	4.09	4	0.50	-0.41
Door	1.31	2	0.20	-0.89
Douglas Dunn Eau Claire Florence/Forest Fond Du Lac	2.74 2.71 6.34 1.12 5.12	2 2 5 1 5	1.00 0.11 1.00 0.25 1.00	-0.26 0.59 0.34 -0.13
Grant	2.10	2	0.35	-0.25
Green	1.65	2	0.24	-0.59
Green Lake	0.98	1	0.10	-0.12
Iowa	1.13	1	0.11	0.02
Iron	0.35	1	0.03	-0.68
Jackson	1.55	1	0.20	0.35
Jefferson	4.01	4	2.00	-1.99
Juneau	1.74	2	0.48	-0.74
Kenosha	11.21	8	3.51	-0.30
Kewaunee	0.74	1	0.31	-0.56
La Crosse	5.92	5	1.01	-0.09
Lafayette	0.67	1	0.00	-0.33
Langlade	1.29	1	0.26	0.02
Lincoln	1.66	2	0.14	-0.48
Manitowoc	3.92	3	1.26	-0.34
Marathon	6.85	5	1.03	0.82
Marinette	1.86	2	1.00	-1.14
Marquette	0.78	1	0.20	-0.42
Milwaukee	61.09	47	22.75	-8.66
Monroe	3.00	3	0.26	-0.26

County	Caseload Study of Judicial Officer Need	Current Number of Judges	Current Number of Court Commissioners (Estimated)	Judicial Officer Need
Oconto	1.87	2	0.80	-0.93
Oneida	2.32	2	0.29	0.03
Outagamie	9.47	7	3.56	-1.09
Ozaukee	2.81	3	1.00	-1.19
Pierce	1.46	1	1.02	-0.56
Polk	2.84	2	0.50	0.34
Portage	3.04	3	1.01	-0.97
Price	0.72	1	0.01	-0.29
Racine	12.95	10	3.77	-0.82
Richland	0.88	1	0.19	-0.31
Rock	9.65	7	2.93	-0.28
Rusk	0.87	1	0.00	-0.13
Sauk	4.00	3	1.00	0.00
Sawyer	1.28	1	0.16	0.11
Shawano/Menominee	2.24	2	0.31	-0.07
Sheboygan	5.42	5	1.90	-1.48
St Croix	4.00	4	0.80	-0.80
Taylor	0.84	1	0.23	-0.39
Trempealeau	1.30	1	0.27	0.03
Vernon	1.19	1	0.02	0.17
Vilas	1.28	1	0.06	0.22
Walworth	5.14	4	2.40	-1.26
Washburn	1.04	1	0.09	-0.05
Washington	5.01	4	1.35	-0.34
Waukesha	14.89	12	4.02	-1.13
Waupaca	2.65	3	0.01	-0.36
Waushara	1.44	1	0.38	0.06
Winnebago	9.05	6	3.01	0.04
Wood	4.02	3	0.33	0.68
Total	303.72	249	86.42	-31.70

Administrative District Chief Judge Workload Need

	Caseload Study of Administrative	Current Number of	Administrative
District*	Judge Need	Administrative Judges	Judge Need
District 1	2.0	1.0	1.0
District 2	1.5	1.0	0.5
District 3	1.5	1.0	0.5
District 4	1.5	1.0	0.5
District 5	1.5	1.0	0.5
District 6	1.5	1.0	0.5
District 7	1.5	1.0	0.5
District 8	1.5	1.0	0.5
District 9	1.5	1.0	0.5
District 10	<u>1.5</u>	1.0	0.5
Statewide Total	15.5	10.0	5.5

^{*}For the location of Judicial Administrative Districts, see Appendix II.

APPENDIX IV

State Expenditures on Circuit Courts, by County 2013-14*

County	Estimated Circuit Court Costs**	Circuit Court Support Payments	Guardian Ad Litem Cost Payments	Court Interpreter Fee Reimbursement	Total
Adams	\$318,900	\$52,275	\$19,515	\$1,752	\$392,442
Ashland	318,900	52,275	15,589	\$1,732	386,764
Barron	956,700	179,512	43,726	2,951	1,182,889
Bayfield	318,900	52,275	14,499	2,751	385,674
Brown	2,551,200	625,314	150,996	58,953	3,386,463
Buffalo	222,754	39,529	10,854	798	273,935
Burnett	318,900	52,275	15,030	=	386,205
Calumet	318,900	52,275	22,153	3,942	397,270
Chippewa	956,700	198,841	48,398	1,589	1,205,528
Clark	318,900	52,275	22,564	6,607	400,346
Columbia	956,700	192,024	49,252	10,724	1,208,700
Crawford	318,900	52,275	15,109	100	386,384
Dane	5,421,300	1,282,571	286,471	87,341	7,077,683
Dodge	1,275,600	270,845	69,106	17,762	1,633,313
Door	637,800	116,518	25,851	4,156	784,325
Douglas	637,800	135,245	28,356	224	801,625
Dunn	637,800	134,857	41,621	4,119	818,397
Eau Claire	1,594,500	325,243	82,419	16,647	2,018,809
Florence	83,541	21,075	3,963	-	108,579
Fond Du Lac	1,594,500	328,335	85,328	20,426	2,028,589
Forest	235,359	41,200	10,534	-	287,093
Grant	637,800	143,556	34,820	2,908	819,084
Green	637,800	126,838	29,339	4,236	798,213
Green Lake	318,900	52,275	14,271	1,163	386,609
Iowa	318,900	52,275	16,647	1,818	389,640
Iron	318,900	52,275	9,382	-	380,557
Jackson	318,900	52,275	23,157	4,155	398,487
Jefferson	1,275,600	265,298	63,812	20,691	1,625,401
Juneau	637,800	115,384	31,536	1,317	786,037
Kenosha	2,551,200	529,574	150,168	60,385	3,291,327
Kewaunee	318,900	52,275	13,156	217	384,548
La Crosse	1,594,500	343,961	75,337	8,428	2,022,226
Lafayette	318,900	52,275	15,930	4,044	391,149
Langlade	318,900	52,275	17,278	577	389,030
Lincoln	637,800	117,653	25,519	676	781,648
Manitowoc	956,700	220,247	53,720	10,821	1,241,488
Marathon	1,594,500	365,697	84,456	24,656	2,069,309
Marinette	637,800	132,408	30,613	290	801,111
Marquette	318,900	52,275	16,249	1,584	389,008
Menominee	5,893	10,781	-	384	17,058

APPENDIX IV (continued)

State Expenditures on Circuit Courts, by County 2013-14*

County	Estimated Circuit Court Costs**	Circuit Court Support Payments	Guardian Ad Litem Cost Payments	Court Interpreter Fee Reimbursement	Total
County	Court Costs	1 ayıncınıs	1 ayıncınıs	Remoursement	Total
Milwaukee	\$14,988,300	\$3,074,809	\$833,742	\$419,310	\$19,316,161
Monroe	956,700	178,512	41,142	7,380	1,183,734
Oconto	637,800	127,946	28,337	1,135	795,218
Oneida	637,800	125,913	35,256	570	799,539
Outagamie	2,232,300	500,293	119,383	20,576	2,872,552
Ozaukee	956,700	226,210	44,603	2,941	1,230,454
Pepin	96,146	22,746	4,642	1,240	124,774
Pierce	318,900	52,275	17,628	63	388,866
Polk	637,800	135,302	34,256	2,403	809,761
Portage	956,700	208,051	48,605	14,877	1,228,233
Price	318,900	52,275	12,860	-	384,035
Racine	3,189,000	646,891	180,924	77,235	4,094,050
Richland	318,900	52,275	15,258	1,327	387,760
Rock	2,232,300	479,620	127,643	34,449	2,874,012
Rusk	318,900	52,275	13,465	476	385,116
Sauk	956,700	197,943	58,670	20,218	1,233,531
Sawyer	318,900	52,275	15,052	5,008	391,235
Shawano	631,907	131,857	36,290	3,538	803,592
Sheboygan	1,594,500	343,929	76,706	14,622	2,029,757
St Croix	1,275,600	266,444	60,183	2,323	1,604,550
Taylor	318,900	52,275	15,042	1,965	388,182
Trempealeau	318,900	52,275	19,779	5,877	396,831
Vernon	318,900	52,275	16,464	1,433	389,072
Vilas	318,900	52,275	15,545	- -	386,720
Walworth	1,275,600	286,719	70,395	19,601	1,652,315
Washburn	318,900	52,275	15,437	-	386,612
Washington	1,275,600	321,079	66,314	12,326	1,675,319
Waukesha	3,826,800	955,744	190,686	59,503	5,032,733
Waupaca	956,700	186,915	44,115	4,343	1,192,073
Waushara	318,900	52,275	20,055	3,114	394,344
Winnebago	1,913,400	446,032	125,987	13,299	2,498,718
Wood	956,700	212,389	50,812	1,763	1,221,664
Totals	\$79,406,100	\$16,697,000	\$4,222,000	\$1,139,356	\$101,464,456

^{*} The estimated circuit court costs identified in the table are for fiscal year 2013-14, while the circuit court payments, guardian ad litem payments, and court interpreter fee reimbursement are for calendar year 2011.

^{**} Estimated circuit court costs include costs associated with judges, court reporters, district court administrators, judicial education, Office of Court Operations, CCAP, and a portion of the Director of State Courts and Management Services offices. Statewide costs are prorated based on the number of branches.

APPENDIX V

Fines and Forfeitures

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
State fines and forfeitures for violations of any traffic, motor vehicle or driver's license regulations (s. 59.25(3)(j), chs. 341-347, 349 and 351))	Fines and forfeitures imposed by courts for violations of state laws regarding registration of vehicles, vehicle title and anti-theft law, operator's licenses, vehicles - financial responsibility, vehicles - civil and criminal liability, rules of the road, equipment of vehicles, vehicles - powers of state and local authorities, and habitual traffic offenders are deposited into the common school fund and the county.	As determined by the court and/or statutes	50% of the fine or forfeiture to the common school fund	50% of the fine or forfeiture retained by the county treasurer as fees for receiving and paying money into the state treasury
State forfeitures concerning vehicles - size, weight and load (s. 59.25 (3)(k), 348.11 and 348.21))	Fines and forfeitures collected from citations issued by the State Patrol or county law enforcement officers for violations of state law are deposited in the common school fund, state transportation fund, and the remainder is retained by counties.	\$10 to more than \$300, depending on the violation	90% of the fine or forfeiture (50% to the common school fund and 40% to the state transportation fund)	10% retained by county where citation issued
All other state fines and forfeitures (except those specifically listed above) (s. 59.25 (3)(j))	Fines and forfeitures imposed by the courts for violations of state laws (except those laws listed above) are deposited to the county and the common school fund.	As determined by the court and/or statutes	90% of the fine, forfeiture or penalty to the common school fund	10% of the fine or forfeiture to be retained by the county treasurer for fees in receiving and paying monies into the state treasury
Ordinance violation forfeitures concerning vehicles - size, weight and load (s. 59.25(3)(L) and 66.0114(3)(c))	Forfeitures imposed by courts for ordinance violations relating to vehicles - size, weight and load are deposited into the state transportation fund, and the remainder is retained by the municipality or county.	\$10 to more than \$300, depending on the violation	100% in excess of \$150 per forfeiture to the state transportation fund provided the violation occurred on an interstate highway, a state trunk highway or a highway over which the local highway authority does not have primary maintenance responsibility	Up to \$150 per forfeiture retained by the municipality if the viola- tion occurred on an interstate highway, a state trunk highway or a highway over which the local authority does not have primary maintenance responsibility. If the violation did not occur on one of the above mentioned highways, the municipality retains the entire amount of the forfeiture

APPENDIX VI

Court Fees

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
Commencement of civil action fee (nonfamily) (s. 814.61(1)(a))	To be paid by the filer at the commencement of all civil actions and special proceedings in circuit court except garnishment, wage earner, small claims and forfeiture actions.	\$75	\$30 to the general fund and \$15 to Consolidated Court Automation Programs (CCAP)	\$30
Change of venue fee in civil action (s. 814.61(1)(a) and (2))	To be paid by the party that necessitated the change of venue.	\$75, except that no fee may be charged if the court orders a discretionary change of venue under s. 801.52	\$30 to the general fund and \$15 to CCAP	\$30
Commencement of family action fee (s. 814.61(1)(a),(b) & (c))	To be paid at the commencement of all family actions except for paternity determination, interstate family support, certain forfeiture proceedings termination of parental rights adoption actions certain commitment actions, and actions to compel DNA submissions. In addition to the civil action filing fee, a \$20 family court counseling fee is assessed.	\$95	\$30 to the general fund and \$15 to CCAP	\$50, \$20 of which is earmarked for family court counseling services
Commencement of family action fee, with request for support or maintenance (s. 814.61(1)(a), (b), and (13))	In addition to the \$95 commencement of family action fee, when a person not receiving benefits under W-2, medicare, medical assistance, or BadgerCare Plus files a petition requesting child support, maintenance or family support payments, an additional \$10 is charged.	\$105	\$30 to the general fund and \$15 to CCAP	\$60, \$20 of which is earmarked for family court counseling services and \$10 of which is earmarked for the cost of court services relating to child support, maintenance or family support payments
Change of venue fee in family action (s. 814.61(1)(a), (1)(b) and (2))	To be paid by the party that necessitated the change of venue.	\$95, except that no fee may be charged if the court orders a discretionary change of venue under s. 801.52	\$30 to the general fund and \$15 to CCAP	\$50, \$20 of which is earmarked for family court counseling services
Change of venue fee in family action, with request for support or maintenance (s. 814.61(1)(b), (2), and (13))	In addition to the \$95 change of venue in a family action fee, if a person not receiving benefits under W-2, medicare, medical assistance, or BadgerCare Plus files a petition requesting child support, maintenance or family support payments, an additional \$10 is charged.	\$105, except that no fee may be charged if the court orders a discretionary change of venue under s. 801.52	\$30 to the general fund and \$15 to CCAP	\$60, \$20 of which is earmarked for family court counseling services and \$10 of which is earmarked for the cost of court services relating to child support, maintenance or family support payments

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
Revision of judgment or order in action af- fecting the family (s. 814.61(7) (a))	To be paid upon the filing of any petition or any motion, by either party, for the revision of a judgment or order in an action affecting the family (unless both parties have agreed to the revision), except for paternity actions.	\$30	\$15 to the general fund	\$15
Revision of legal custody and physical placement order/ moving the child's residence within or outside the state (s. 814.61(7)(b))	To be paid upon the filing of any petition, motion or order to show cause by either party under legal custody or physical placement, or moving the child's residence within or outside the state.	\$50	\$12.50 to the general fund	\$12.50 for general county purposes and \$25 for family court counseling services
Fee for commencing a garnishment action (s. 814.62(1))	To be paid when a person commences a garnishment action.	\$20	\$7.50 to the general fund and \$5 to CCAP	\$7.50
Fee for commencing a small claims action (s. 814.62(3) (a) and (d)2.)	To be paid by the plaintiff at the time of issuance of a summons or other process in a proceeding not commenced by a summons.	\$22	\$11.80 to CCAP	\$10.20
Change of venue fee in small claims actions (s. 814.61 (2) and 814.62(3)(a) and (d)2.)	To be paid by the party that necessitated the change of venue.	\$22, except that no fee may be charged if the court orders a discretionary change of venue under s. 801.52	\$11.80 to CCAP	\$10.20
Fee for filing a counterclaim or cross complaint in a small claims action (s. 814.62(3)(b) and (d)3.)	To be paid by the person filing the counterclaim or cross complaint.	\$53	\$17.20 to the general fund and \$10 to CCAP	\$25.80
Third party complaint in a large claim or no money judgment re- quested (s. 814.61(3))	To be paid by defendant when defendant files a third party complaint. The defendant shall pay only one such fee in an action.	\$45	\$20 to the general fund and \$5 to CCAP	\$20
Fee in forfeiture actions (s. 814.63(1)(b) and (5))	To be paid by the defendant when judgment is entered against the defendant, except for smoking or safety belt violations.	\$25	\$12.50 to the general fund and \$5 to CCAP	\$7.50
Fee for criminal actions (s. 814.60(1))	To be paid by the defendant when a judgment is entered against the defendant.	\$163	\$153 to the general fund	\$10

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
Municipal court fee (s. 814.65(1))	Except for certain safety belt violations, to be paid by the defendant on each separate matter, including de- fault of appearance, guilty or no contest pleas, issu- ance of warrants or summons, or if the action is tried as a contested matter.	\$15-38, as determined by the municipal court	\$5 of the \$15 to \$38 fee to the general fund	None; municipality retains all but \$5
Appeal from municipal court or administrative decision, and appeal or review is by certiorari or on the record (s. 814.61(8)(am)1. and 814.61(8)(c))	To be paid when a person wishes to appeal a decision from municipal court or on review of any administrative decision, and the appeal or review is by ceriorari or on the record.	\$40	\$17.50 to the general fund and \$5 to CCAP	\$17.50
Appeal from municipal court or administrative decision, and a new trial is authorized and requested (s. 814.61(8)(am)2. and 814.61(8)(d))	To be paid by a person who wishes to appeal a decision from municipal court or on review of any administrative decision, and a new trial is authorized and requested.		\$25 to the general fund and \$5 to CCAP	\$25
Fees of register in probate (s. 814.66)	The register in probate collects fees for the following: (a) filing a probate petition or for a certificate or judgment of descent of lands; (b) filing a petition for guardianship of estate or application for conservatorship; (c) for a certificate terminating a life estate or homestead; (d) filing an objection to probate of a will; (e) receiving a will for safekeeping; (f) for each certificate issued by registers in probate or circuit court judges; (g) for copies of records or papers in the custody and charge of registers in probate; (h) for copies requested by the state public defender, other than transcripts; (i) filing claims against estates; (j) searching files or records when the requester does not furnish the case number; (k) receiving power of attorney for health care instrument or a declaration for safekeeping; (l) filing a petition for visitation by a minor's grandparents or stepparents; and (m) depositing money for a guardianship; and (n) withdrawing money that has been deposited for a guardianship.	\$50,000 or less, or 0.2% the value of the estate, if more than \$50,000; (c) \$3; (d) \$20; (e) \$10; (f) \$3; (g) \$1; (h) a fee equal to the actual, necessary, and direct costs of copying; (i)	66.67% to the general fund	33.33%

APPENDIX VII

Court Surcharges and Payments

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
Court support services surcharge (s. 814.85(1))	If filing a civil action, third party complaint, appeal from municipal court, small claims action, small claim counterclaim or cross complaint, forfeiture action, garnishment action, or wage earner action, a court support services surcharge also applies. [Exceptions: actions for safety belt use violations, special identification cards for physically disabled violations, or for an action for a financial responsibility violation of motor vehicle liability insurance.]	the amount claimed is greater than \$10,000, \$51 for civil ac- tions in which the amount claimed is equal to or less than \$10,000, and \$68 for civil ac-	100% to the general fund	None
Penalty surcharge (s. 757.05(1) and (2), 814.75(18), 814.76(14), 814.77(11), 814.78(10), 814.79(7), 814.80(9) and 814.81 (9))	Surcharge on fines or forfeitures imposed by courts for violations of state laws or municipal or county ordinances. [Exceptions: for violations involving smoking in restricted areas, failing to properly designate smoking or nonsmoking areas, for an action for a financial responsibility violation of motor vehicle liability insurance, nonmoving traffic violations, special identification cards for physically disabled violations or safety belt use.	26% of the fine or forfeiture	100% to various state agencies (45.83% to the Department of Justice for the Law Enforcement Training Fund and the remainder to fund justice-related automation systems, victim-witness services, correctional officer and public defender training, AODA programs within the Department of Public Instruction, and provide match money for federal anti-drug enforcement programs)	None
Justice information system surcharge (s. 814.86(1))	If filing for civil, small claims, forfeiture, wage earner, or garnishment actions, or for an appeal from municipal court, third party complaint in a civil action, or for filing a counterclaim or cross complaint in a small claims action, a justice information surcharge also applies. [Exceptions: actions for safety belt use violations, special identification cards for physically disabled violations, or an action for a financial responsibility violation of motor vehicle issuance.		\$15.50 to Department of Administration (DOA) for justice system programs, and \$6 to CCAP	None
Special prosecution clerks surcharge (Milwaukee County only) (s. 814.86(1m))	Whenever the clerk of circuit court for Milwau- kee County charges and collects the justice in- formation surcharge, he or she must also collect a special prosecution clerks surcharge.	\$2	100% to fund clerks in the Milwau- kee County District Attorneys Of- fice	None

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
Crime lab and drug law enforcement surcharge in criminal and forfeiture actions (s. 165.755, 814.75(3), 814.76(2), 814.77(2), 814.78(3), 814.79(2), 814.80(3) and 814.81(3))	If a court imposes a sentence, places a person on probation or imposes a forfeiture for a violation of state law or municipal or county ordinance (except for violations involving smoking in restricted areas, failing to properly designate smoking or nonsmoking areas, nonmoving traffic violations or safety belt use, or an action for a financial responsibility violation of motor vehicle issuance, the court must also impose a crime laboratories and drug law enforcement surcharge for each offense.	\$13	100% to the state to help fund drug law enforcement, drug law violation prosecution assistance, crime labor- atories, and the DNA databank ac- tivities	None
Crime victim and witness surcharge (s. 973.045)	If a court imposes a sentence or places a person on probation, the court shall also impose a crime victim and witness surcharge.		100% to fund county victim and witness assistance programs, general services	None
DNA analysis surcharge in criminal actions (s. 814.75(7), 814.76(5) and 973.046))	If a court imposes a sentence or places a person on probation, the court must also impose a DNA surcharge on the defendant.	\$200 for each misdemeanor offense and \$250 for each felony offense	100% to state to help fund drug law enforcement, crime laboratories, and DNA database activities	None
Drug abuse program improvement surcharge in criminal actions (s. 814.75(10), 814.76(8) and 961.41(5)(a))	When a court imposes a fine for a violation concerning the manufacture, distribution or delivery of controlled substances, the court must also impose a drug abuse program improvement surcharge on the defendant.	75% of the fine and penalty assessment imposed	100% for DHS alcohol and drug abuse initiatives	None
Drug offender diversion surcharge (s. 814.75(11), 814.76(9), and 973.043)	If a court imposes a sentence or places a person on probation for a violation of Chapter 943 (Crimes against Property), the court must also impose a drug offender diversion surcharge for each conviction.	\$10	100% to an appropriation under DOJ to provide grants to counties for alternatives to incarceration	None

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
Domestic abuse surcharge in criminal and forfeiture actions (s. 814.75(8),814.76(6), 814.80(6), 814.81(6), and 973.055))	The domestic abuse surcharge applies only in those cases in which the defendant's conduct was directed against a spouse or former spouse, against an adult with whom the defendant resides or formerly resided, or against an adult with whom the defendant has created a child. If a court imposes a sentence on an adult person or places an adult person on probation for violating certain crimes against life and bodily security, crimes against property, bail jumping, or crimes against public peace, order and other interests, regardless of whether any fine is imposed, the court shall also impose a domestic abuse assessment for each offense (unless the court determines the assessment would have a negative impact on the offender's family).	\$100 for each offense	100% to the state for domestic abuse grants	None
Child pornography sur- charge (s. 814.75(1j), 814.76(1j), and 973.042)	If a court imposes a sentence or places a person on probation for either sexual exploitation of a child or possession of child pornography, the court must impose a child pornography surcharge on each image associated with the crime.	\$500 for each image	DOJ to provide grants to nonprofit organizations providing services to victims of sexual assault.	None
Global positioning system tracking surcharge (s. 814.75(8m), 971.37(1m)(c)1. and 973.057)	If a court convicts a person for violating a domestic abuse or harassment restraining order or injunction, the court must impose a global positioning system tracking surcharge.	\$200 for each offense	To DOC for expenditures under the global positioning system tracking program.	None
Weapons surcharge in criminal and forfeiture actions (s. 167.31(5), 814.75(25), 814.76(18) and 814.77(14))	If a court imposes a fine or forfeiture for violating laws concerning safe use and transportation of firearms and bows, the court must also impose a weapons surcharge.	75% of the amount of fine or forfeiture (which can be up to \$1,000)	100% to the fish and wildlife account of the state conservation fund	None
Restitution administrative surcharge (s. 973.20(11)(a), 814.75(20) and 814.76(15))	Restitution surcharge in a criminal action if an offender is sentenced to prison or placed on probation.	5% of the total amount of any restitution, costs, attorney fees and any fines and related payments ordered under s. 973.05(1)	To the Department of Corrections for administrative expenses	None
Juvenile delinquency victim and witness assistance surcharge (s. 938.34(8d)), 814.75(6), 814.77(4), 814.78(5), 814.79(4) and 814.80(5))	For a juvenile adjudged delinquent, the court must impose a delinquency victim and witness assistance surcharge.	\$20	100% to fund crime victim and witness services	None

Name and Statutory Ci-				
tation	How Applied	Fee Amount	State Share and Recipients	County Share
Reimbursement of legal fees for state- provided counsel in juvenile actions - delinquency, JIPS or CHIPS (s. 48.275 (2) and 938.275(2))	If the state or county provides legal counsel to a child or an expectant mother in CHIPS proceedings, or to juveniles in delinquency or JIPS proceedings, the court must also order the non-indigent parents to reimburse the state or county for the representation, unless the parent is the complaining or petitioning party or if the court finds that the interests of the parent and the interests of the child in the proceeding are substantially and directly adverse and that reimbursement would be unfair to the parent.	As determined by the court	75% to the state when state counsel is provided for JIPS and delinquency proceedings regardless of county size (money credited to SPD private bar and investigator reimbursement appropriation). 75% to the state when state counsel is provided for CHIPS proceedings in counties with a population less than 500,000 (money credited to SPD private bar and investigator reimbursement appropriation). 100% to the state when state counsel is provided for CHIPS proceedings in counties having a population equal to or greater than 500,000 (25% credited to Milwaukee child welfare services and 75% credited to SPD private bar and investigator reimbursement appropriation)	25% to the county when state counsel is provided in CHIPS proceedings in counties with a population of less than 500,000. 25% to the county when state counsel is provided in JIPS and delinquency proceedings (regardless of county population)
Consumer protection surcharge in criminal and forfeiture action (s. 100.261(1) and (3)(c), 814.75(1), 814.76(1m), 814.78(1m), 814.80(1) and 814.81(1))	Whenever a court imposes a fine or forfeiture for violations relating to consumer protection, the court must also impose a consumer protection surcharge.	25% of the total amount of the fine or forfeiture	100% of the first \$185,000 annually to the Department of Agriculture, Trade and Consumer Protection for consumer protection information and education. The remainder is deposited to the general fund	None
Bisphenol A surcharge (s. 100.335(7) and 814.75(1d)	If a court imposes a fine or forfeiture for violations of laws related to child's containers containing bisphenol A, the court must also impose a bisphenol A surcharge.	50% of the amount of a fine or forfeiture (which can range from \$50 to \$10,000)	100% to the Department of Agriculture, Trade and Consumer Protection for enforcement and administration of the laws relating to child's containers containing bisphenol A.	None
Supplemental food enforcement surcharge in criminal and forfeiture actions (s. 253.06(4)(c), 814.75(22m), 814.76(15m) and 814.80(11))	Whenever a court imposes a fine, forfeiture or recoupment for violating laws or rules concerning the Women Infants and Children (WIC) program, the court must also impose a supplemental food enforcement surcharge.	50% of the total fine, forfeiture or recoupment amounts imposed	100% to finance fraud reduction in the WIC program	None

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
Uninsured employer surcharge in criminal and forfeiture actions (s. 102.85(4)(a), 814.75(24) and 814.76(17))	If a court imposes a fine or forfeiture for employer insurance or worker's compensation violations, the court must also impose an uninsured employer surcharge on the defendant.	75% of the amount of fine or forfeiture (which can range from \$10 to \$10,000)	100% to the state uninsured employers fund (which pays the claims of employees of uninsured employers)	None
Driver improvement surcharge in criminal and forfeiture actions (s. 346.655(1) and (2), 814.75(9), 814.76(7), 814.78(7), 814.79(4m))	If a court imposes a fine or forfeiture for certain violations relating to operating while intoxicated, it shall also impose a driver improvement surcharge.	\$435	49.7% of the surcharge amount for activities related to alcohol abuse, OWI enforcement and crime victim compensation services	50.3% of the surcharge amount for community mental health, developmental disabil- ities, alcoholism and drug abuse services
Truck driver education surcharge in criminal and forfeiture actions (s. 349.04(1), 814.75(23), 814.76(16), 814.78(12) and 814.79(10))	If a court imposes a fine or forfeiture for violating laws concerning rules of the road, equipment of vehicles, or vehicles – size, weight and load, the court must impose a truck driver education surcharge.	\$8	100% to the state for truck driver training grants to Chippewa Valley Technical College, Fox Valley Technical College, and Waukesha County Technical College	None
Occupational drivers license fee (habitual traffic offender) (s. 351.07 (1g))	Persons considered habitual traffic offenders that file a petition for an occupational license must pay a fee.	\$40	50% of the fee to the transportation fund	50% of the fee to be retained by the county
Railroad crossing improvement surcharge in forfeiture actions (s. 346.177, 346.495, 814.75(19) and 814.79(8))	Whenever a court imposes a forfeiture for certain violations concerning driving or stopping on railroad crossings, the court must also impose a railroad crossing improvement surcharge.	50% of the amount of the forfeiture, which may be up to \$1,000	100% to the Department of Transportation for railroad crossing protection, installation, and maintenance	None
Snowmobile registration restitution surcharge in forfeiture actions (s. 350.115, 814.75(21) and 814.77(12))	If a court imposes a forfeiture for a snowmobile violation in which a registration fee is required, the court must also impose a snowmobile registration restitution surcharge on the defendant.	Equal to the amount of the fee that was required and should have been obtained	100% to the snowmobile account of the state conservation fund, which funds such things as snowmobile trail and project aids and county snowmobile enforcement aids	None
Environmental surcharge in criminal and forfeiture actions (s. 299.93, 814.75(12), 814.76(10) and 814.77(5))	If a court imposes a fine or forfeiture for a violation of laws concerning pure drinking water, water and sewage, pollution discharge elimination, air pollution, solid waste facilities, hazardous waste management, remedial action, metallic mining, nonmetallic mining, reclamation or oil and gas exploration and production, the court must also impose an environmental surcharge on the defendant.	10% of the amount of the fine or forfeiture if the violation was committed before July 1, 2009; 20% of the amount of fine or forfeiture if the violation was committed on or after July 1, 2009	100% to the environmental management account of the state environmental fund, which funds contaminated land cleanup and administration, the Brownfields grant program, groundwater standards development and implementation, and environmental education grants	None

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
Natural Resources sur- charge in criminal and forfeiture actions (s. 29.987, 814.75(16), 814.76(12), 814.77(9))	If a court imposes a fine, forfeiture or order for violating laws concerning wild animals and plants, the court is also required to impose a natural resources surcharge.	Equal to 75% of the fine or for- feiture amount	100% to the fish and wildlife account of the state conservation fund	None
Natural Resources restitution surcharge in criminal and forfeiture actions (s. 29.989, 814.75(17), 814.76(13) and 814.77(10))	If court imposes a fine or forfeiture or an order for violating laws concerning wild animals and plants, the court is also required to impose a natural resources restitution surcharge (when a restitution surcharge is required).	Equal to the amount of the statutory fee for the approval which was required and should have been obtained	100% to the fish and wildlife account of the state conservation fund, which funds such things as fish and game management, law enforcement and licensing	None
Wild animal protection surcharge in criminal and forfeiture actions (s. 29.983, 814.75(26), 814.76(19) and 814.77(15))	If a court imposes a fine or forfeiture for violating laws concerning wild animals and plants or issues an order regarding the unlawful killing, wounding, catching, taking, trapping or possession of a wild animal, the court may impose a wild animal protection surcharge on the defendant.	\$8.75 to \$2,000, depending on the type of animal	100% to the fish and wildlife account of the state conservation fund	None
Wildlife violator compact surcharge (s.29.99, 814.75(27), 814.76(20), and 814.77(16))	If a court imposes a fine or forfeiture for a violation under Chapter 29 (Wild Animals and Plants), the court must also impose a wildlife violator compact surcharge.	\$5	100% to the conservation fund	None
Commercial fish protection surcharge (s.29.984, 814.75(1g), 814.76(1g), and 814.77(1g))	If a court imposes a fine or forfeiture for the unlawful killing, catching, taking, transporting, sale, or possession of Great Lakes fish or fish in outlying waters, or for failing to comply with any statutory record-keeping requirements, the court may impose a commercial fish protection surcharge.	(a) For any commercial fish, except as provided in (c), an amount equal to the average wholesale value of the fish on the date of the violation; (b) For salmon, trout or noncommercial game fish, except as provided in (c): (i) \$43.75 for muskellunge or lake sturgeon; (ii) \$26.25 for largemouth or smallmouth bass, or brook, rainbow, brown or steel head trout; (iii) \$8.75 for walleye pike, northern pike or any other unmentioned game fish; (c) If the value of the fish exceeds \$300, an amount equal to three times the average wholesale value of the fish	100% to the conservation fund	None

Name and Statutory Citation	How Applied	Fee Amount	State Share and Recipients	County Share
Great Lakes resource surcharge (s. 29.9905, 814.75(13m), and 814.77(6m))	If a court imposes a fine or forfeiture for a violation of wholesale fish deal license involving Great Lakes fish, or a violation of outlying water sport trolling licenses or commercial fishing in outlying waters, the court must also impose a Great Lakes resource surcharge.		100% to the conservation fund for research of Great Lakes fish	None
Fishing net removal sur- charge (s. 29.991, 814.75(12n), and 814.77(5m))	If a court imposes a forfeiture for failure to re- imburse the Department of Natural Resources for costs associated with the seizure of a net or similar fishing device, the court must impose a fishing net removal surcharge.	seizure costs, plus an amount equal to 75% of the forfeiture	100% to the conservation fund	None
Fishing shelter removal surcharge in forfeiture actions (s. 29.985, 814.75(13) and 814.77(6))	If a court imposes a forfeiture (up to \$100) on a person that fails to reimburse the DNR for the costs associated with the seizure and destruction or sale of an ice fishing shanty that is considered a public nuisance, the court must also impose a fishing shelter removal surcharge on the defendant.	ing shelter owner should have	100% to the fish and wildlife account of the state conservation fund	None

APPENDIX VIII

Wholly Retained County or Municipal Fees Collected by the Clerk of Circuit Court

Statutory Section	Type of Fee	Amount of Fee	Special Handling
778.105	Forfeitures for violation of municipal or county ordinances	As determined by the court and/or statutes	Revenues from forfeitures imposed by any court for the violation of any municipal or county ordinance shall be paid to the municipality or county, unless otherwise specified.
302.46(1), 814.75(14), 814.76(11), 814.77(7), 814.78(8), 814.79(5), 814.80(7) and 814.81(7)	Jail surcharge in criminal and forfeiture actions. If a court imposes a fine or forfeiture for state law or municipal or county ordinance violations (except for violations involving smoking in restricted areas, failing to properly designate smoking or nonsmoking areas, actions for financial responsibility violation of motor vehicle liability insurance, nonmoving traffic violations or safety belt use, the court must also impose a jail surcharge on each fine or forfeiture, paid to the county treasurer.	The greater of 1% of the fine or forfeiture or \$10	Counties may use these revenues for construction, remodeling, repair or improvements of county jails.
814.61(4)	Jury fee, for all civil actions except garnishment	\$6 per juror paid by the party demanding the trial	Non-refundable. If jury fee is not paid, no jury will be called.
814.61(5)	Judgments, writs, executions, liens, warrants, awards, certificates	\$5	
814.61(6) and 806.24	Foreign judgments filing fee	\$15	Filing under uniform enforcement of foreign judgments act.
814.61(9)	Certifying and transmitting documents	\$15 plus postage	
814.61(10)	Copies, except for the State Public Defender (which is charged the actual costs).	\$1.25 per page	
814.61(11)	File or record searches	\$5	
814.61(12)(a)	Receiving and disbursing money -	\$10 or 0.5% of amount deposited	If funds are deposited by court order or by law, the type of account

Statutory Section	Type of Fee	Amount of Fee	Special Handling
	trust funds and small estates	(whichever is greater), and an additional \$10 upon each withdrawal of any or all of the money deposited with the clerk.	shall be in the clerk's discretion unless the court order specifies differently.
814.61(12)(c)	Receiving and disbursing deposits in contempt proceedings	\$10 per deposit	For receiving and disbursing deposits made under s. 818.12 in contempt proceedings under chapter 785. 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.
814.61(14)	Occupational drivers license fees (petitions under s. 343.10(4))	\$40	
767.405(5), 814.615(1)(a)2 and (2)	Family mediation sessions (except the first mediation session upon referral for which there is no fee)	\$200 (single fee regardless of the number of mediation sessions held)	The county treasurer deposits collected fees in a separate account for the exclusive purpose of providing family court mediation services and studies. In lieu of \$200, counties can establish a fee schedule to recover their reasonable costs. Counties must reduce fees based on parties' ability to pay.
767.405(5), 814.615(1)(a)3 and (2)	Legal custody and physical placement study	\$300	The county treasurer deposits collected fees in a separate account for the exclusive purpose of providing family court mediation services and studies. In lieu of \$300, counties can establish local schedule to recover their reasonable costs. Counties must reduce fees based on parties' ability to pay.
814.615(2) and 767.405	Family court services fee	Based on services actually provided	Deposited by the county treasurer in a separate account to be used by the county exclusively for the purposes of family court services.
814.62(2)	Fee for commencing a wager earner amortization proceeding	\$10	The clerk of court collects the fee from the wage earner voluntarily commencing a proceeding for amortization of debts.
814.62(3)(e)	Demand for a jury trial in a small claims action	\$53	The party demanding the jury trial shall pay a fee equal to the difference between the civil filing fee and the small claims filing fee in addition to the 6-person jury fee.
814.61(4)	Nonrefundable fee for a jury in all actions, except a garnishment action, 6-person jury (\$6 per juror)	\$36	
814.62(4)	Small claims service of summons by mail	\$2 for each defendant	
	Small claims service of summons by certified mail return receipt	\$2 for each defendant plus cost of certified mail	Cost of certified mail may be rounded up to the nearest dollar.

Statutory Section	Type of Fee	Amount of Fee	Special Handling
814.63(2)	Non-refundable fee for forfeiture action in circuit court for violation of a municipal ordinance (except for violations involving safety belts use or first time violations for operating a motor vehicle, all-terrain vehicle, motorboat, or snowmobile if the operator had a blood alcohol concentration of 0.08 or more but less than 0.1)	\$5	Upon disposition of a forfeiture action in circuit court, the municipality shall pay a non-refundable fee to the clerk of court.
48.275(2)(d) and 938.275(2)	Parent reimbursement of legal fees in juvenile actions (for county-provided counsel)	Court-ordered amount, based on ability to pay	
346.65(2g)(b)	Fee to offset cost of providing community service work that demonstrates the adverse effects of substance abuse or operating a vehicle under the influence of an intoxicant or other drug	Reasonable fee, based on the person's ability to pay	
346.65(2g)(c)	Fee to offset cost of providing community service work that benefits children or that demonstrates the adverse effects on children of substance abuse or of operating a vehicle while under the influence of an intoxicant or other drug	Reasonable fee, based on the person's ability to pay	
346.65(2i)	Fee to offset cost of providing site visits that demonstrate the adverse effects of substance abuse or of operating a vehicle under the influence of an intoxicant or other drug	Reasonable fee, based on the person's ability to pay	
973.06(1)(g)	Restitution fee	10% of any restitution ordered	Payable to the county treasurer for use by the county.
973.20(11)(a)	Restitution administrative surcharge in a criminal action if offender is not placed on probation or sentenced to prison	5% of total amount of any restitution, costs and attorneys fees and any fines and related payments ordered if restitution is paid to the clerk of court for transfer to the appropriate person	To the clerk of court for administrative expenses if offender is not placed on probation or sentenced to prison.

APPENDIX IX

Revenue Generated from Circuit Court Operations
Remitted to State, by County in 2013-14

	F: 1	G' '	Court Support	Other	
C	Fines and	Circuit	Services	Fees and	T-4-1
County	Forfeitures	Court Fees	Surcharge	Surcharges	Total
Adams	\$102,400	\$96,700	\$206,900	\$225,700	\$631,700
Ashland	42,000	79,800	161,900	171,600	455,300
Barron	87,100	170,400	332,400	312,600	902,500
Bayfield	44,700	67,300	162,600	162,200	436,800
Brown	451,800	680,500	1,270,500	1,218,100	3,620,900
Buffalo	23,600	40,500	96,100	104,400	264,600
Burnett	95,500	64,700	163,600	183,500	507,300
Calumet	37,000	90,000	199,500	194,200	520,700
Chippewa	105,600	221,300	517,600	494,200	1,338,700
Clark	112,300	137,800	312,400	318,800	881,300
Columbia	244,600	263,600	622,300	670,500	1,801,000
Crawford	33,400	54,000	158,800	127,400	373,600
Dane	4,861,900	863,200	2,200,600	1,992,100	9,917,800
Dodge	169,100	293,200	781,000	668,500	1,911,800
Door	82,600	127,000	262,800	305,500	777,900
Douglas	230,800	192,000	471,500	476,000	1,370,300
Dunn	180,900	223,500	625,600	562,800	1,592,800
Eau Claire	241,300	403,000	1,019,200	986,500	2,650,000
Florence	15,900	16,500	35,000	44,500	111,900
Fond du Lac	216,500	422,500	982,600	894,900	2,516,500
Forest	58,500	50,900	93,100	165,000	367,500
Grant	264,200	210,700	435,600	522,900	1,433,400
Green	50,900	106,000	273,000	243,100	673,000
Green Lake	28,800	67,600	127,800	139,100	363,300
Iowa	52,000	89,000	226,000	192,100	559,100
Iron	7,300	17,500	52,400	41,100	118,300
Jackson	119,900	129,800	348,400	304,000	902,100
Jefferson	165,200	250,000	592,200	527,100	1,534,500
Juneau	230,900	139,100	442,200	388,500	1,200,700
Kenosha	379,800	580,700	1,261,800	1,197,000	3,419,300
Kewaunee	82,000	46,900	116,300	138,400	383,600
La Crosse	186,300	291,300	551,800	534,200	1,563,600
Lafayette	21,700	42,300	123,700	113,500	301,200
Langlade	34,600	91,200	171,500	175,300	472,600
Lincoln	117,500	100,600	227,700	239,700	685,500
Manitowoc	188,800	219,800	516,500	483,300	1,408,400
Marathon	408,800	426,100	940,200	912,100	2,687,200
Marinette	100,900	124,400	284,100	276,400	785,800
Marquette	55,100	77,400	164,800	157,700	455,000
Menominee	1,900	6,200	18,700	15,500	42,300

APPENDIX IX (continued)

Revenue Generated from Circuit Court Operations Remitted to State, by County in 2013-14

	Einee and	Circuit	Court Support Services	Other	
Country	Fines and Forfeitures	Court Fees	Surcharge	Fees and	Total
County	ronentures	Court rees	Surcharge	Surcharges	Total
Milwaukee	\$993,600	\$1,870,700	\$5,535,900	\$4,128,900	\$12,529,100
Monroe	168,800	218,400	362,300	393,900	1,143,400
Oconto	178,700	137,300	257,800	289,400	863,200
Oneida	94,200	152,200	356,000	350,400	952,800
Outagamie	274,000	565,100	1,141,200	1,087,700	3,068,000
Ozavlsaa	156 700	222 200	400.700	451,000	1 241 700
Ozaukee	156,700	233,300	400,700	451,000	1,241,700
Pepin	15,100	21,300	51,300	49,000	136,700
Pierce	39,800	70,900	163,400	141,700	415,800
Polk	58,200	126,600	323,200	260,700	768,700
Portage	168,200	259,900	556,700	552,600	1,537,400
Price	56,300	48,000	119,900	128,300	352,500
Racine	385,800	817,700	1,776,500	1,752,900	4,732,900
Richland	47,200	56,200	134,000	125,500	362,900
Rock	472,500	634,700	1,407,400	1,378,800	3,893,400
Rusk	31,700	49,900	106,400	90,700	278,700
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Sauk	185,300	299,600	671,000	654,800	1,810,700
Sawyer	81,000	69,700	129,800	167,800	448,300
Shawano	184,900	237,500	427,800	531,200	1,381,400
Sheboygan	165,300	368,600	669,900	664,100	1,867,900
St. Croix	182,200	219,200	528,900	445,200	1,375,500
Taylor	35,500	59,300	128,100	141,100	364,000
Trempealeau	102,000	105,200	277,700	267,600	752,500
Vernon	46,500	62,800	128,800	119,900	358,000
Vilas	75,200	68,100	184,300	186,500	514,100
Walworth	273,600	291,600	639,600	713,400	1,918,200
	40.000	60. 7 00	4=0.000		
Washburn	48,800	69,500	170,600	155,400	444,300
Washington	161,800	288,500	563,200	603,500	1,617,000
Waukesha	533,800	648,800	1,287,500	1,310,800	3,780,900
Waupaca	112,900	159,000	386,300	370,700	1,028,900
Waushara	95,600	133,400	233,100	293,400	755,500
Winnebago	393,400	574,600	1,263,400	1,302,900	3,534,300
Wood	362,800	310,900	444,500	618,000	1,736,200
Grand Total	\$16,115,500	\$16,803,500	\$38,377,900	\$36,607,800	\$107,904,700

APPENDIX X

Revenue Generated from Circuit Court Operations
Retained by Counties in Fiscal Year 2013-14

	Fines and	Circuit	Other Fees &	County
County	Forfeitures	Court Fees	Surcharges	Total
Adams	\$95,000	\$33,400	\$50,800	\$179,200
Ashland	60,200	26,500	36,300	123,000
Barron	142,000	59,100	73,600	274,700
Bayfield	101,500	23,200	38,100	162,800
Brown	509,500	246,100	285,700	1,041,300
Buffalo	55,000	14,700	33,800	103,500
Burnett	94,200	24,200	40,900	159,300
Calumet	78,600	34,200	48,400	161,200
Chippewa	173,500	81,700	129,600	384,800
Clark	170,900	46,500	71,700	289,100
Columbia	351,400	94,400	148,900	594,700
Crawford	73,800	22,700	30,700	127,200
Dane	1,296,600	381,100	540,100	2,217,800
Dodge	327,000	119,500	160,500	607,000
Door	145,600	41,800	77,900	265,300
Douglas	149,400	73,600	109,600	332,600
Dunn	224,400	84,500	141,000	449,900
Eau Claire	306,200	151,900	249,400	707,500
Florence	26,600	5,400	13,500	45,500
Fond du Lac	488,400	154,000	240,000	882,400
Forest	133,100	14,900	25,500	173,500
Grant	191,500	66,100	127,600	385,200
Green	104,200	41,600	62,400	208,200
Green Lake	68,600	21,900	31,800	122,300
Iowa	85,100	32,700	48,100	165,900
Iron	16,100	7,900	10,600	34,600
Jackson	170,400	48,000	71,400	289,800
Jefferson	283,100	97,200	121,800	502,100
Juneau	203,000	61,700	74,700	339,400
Kenosha	585,000	216,800	205,100	1,006,900
Kewaunee	54,600	18,100	26,200	98,900
La Crosse	218,700	101,400	138,800	458,900
Lafayette	53,000	17,100	30,800	100,900
Langlade	59,800	29,100	39,800	128,700
Lincoln	116,200	38,900	47,300	202,400
Manitowoc	257,500	87,600	101,000	446,100
Marathon	353,900	161,600	189,400	704,900
Marinette	165,700	47,700	65,700	279,100
Marquette	85,100	24,900	36,100	146,100
Menominee	10,400	2,800	3,900	17,100

APPENDIX X

Revenue Generated from Circuit Court Operations
Retained by Counties in Fiscal Year 2013-14

County	Fines and Forfeitures	Circuit Court Fees	Other Fees & Surcharges	County Total
Milwaukee	\$1,587,200	\$990,800	\$679,800	\$3,257,800
Monroe	198,200	62,300	83,100	343,600
Oconto	145,800	44,400	51,500	241,700
Oneida	144,000	56,600	93,100	293,700
Outagamie	316,700	203,100	276,400	796,200
Ozaukee	228,900	71,600	97,300	397,800
Pepin	26,500	7,900	14,600	49,000
Pierce	72,000	28,900	45,300	146,200
Polk	119,200	51,800	60,900	231,900
Portage	216,600	91,400	145,700	453,700
Price	47,600	18,300	31,000	96,900
Racine	1,072,000	288,500	301,100	1,661,600
Richland	62,600	20,000	31,200	113,800
Rock	550,700	230,400	296,100	1,077,200
Rusk	50,000	17,900	20,900	88,800
Sauk	282,900	106,200	167,600	556,700
Sawyer	78,200	23,000	53,300	154,500
Shawano	313,600	68,900	108,300	490,800
Sheboygan	286,300	125,600	133,700	545,600
St. Croix	201,900	92,100	98,600	392,600
Taylor	72,500	22,100	35,800	130,400
Trempealeau	119,100	41,900	67,500	228,500
Vernon	61,800	23,300	28,700	113,800
Vilas	93,400	28,600	53,400	175,400
Walworth	395,900	111,000	154,800	661,700
Washburn	83,100	26,200	38,600	147,900
Washington	279,700	107,900	150,400	538,000
Waukesha	504,300	256,700	318,400	1,079,400
Waupaca	184,300	63,400	97,800	345,500
Waushara	130,100	38,500	65,100	233,700
Winnebago	397,800	209,800	302,700	910,300
Wood	281,600	<u>84,500</u>	122,700	488,800
Grand Total	\$16,689,300	\$6,470,100	\$8,203,900	\$31,363,300