

Assembly Bill 483

Published
November 24, 1965.

CHAPTER 384

AN ACT to create 957.263 of the statutes, relating to recovery by counties of amounts paid for legal representation of indigent defendants.

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

957.263 of the statutes is created to read:

957.263 RECOVERY OF LEGAL FEES PAID FOR INDIGENT DEFENDANTS. Whenever a county has paid for legal representation of an indigent defendant and the county board so requires the clerk of the court wherein representation for the indigent was appointed shall prepare, sign and file in the office of the register of deeds, in a record book there to be kept for the purpose, a certificate stating the name and residence of the indigent beneficiary, the amount paid by the county for his legal representation, the date when paid, the court and county in which his case was heard and such other information as the county board directs. When a claim is so filed within 6 months after payment is made by the county it may, any time within 10 years after such filing, commence an action to recover from the indigent defendant, or his estate if the action is commenced within the time set for filing claims by creditors, the amount paid

by the county for his legal representation. In any such action the 10 year statute of limitations and s. 313.08, so far as applicable, may be pleaded in defense. Such claim shall not take precedence over the allowances in s. 313.15. It is the duty of the district attorney to commence and prosecute all actions and proceedings necessary under this section to make such recovery when it appears that the indigent defendant or his estate is able to pay the claim.

Approved November 18, 1965.
