

Representatives and Senators,
Please consider co-sponsoring this bill.

The last time the fees were updated in statute was 1989.

In 2011 a bill was introduced (AB106) that would increase the limit of small claims action from \$5,000 to \$10,000 and increase the small claims filing fees. That bill did not pass and instead the 2011-12 budget was amended (budget motion 518 (#17)) to increase the claim limit to \$10,000. The fees we left unchanged.

This bill takes into account inflation during that period of time and updates the filing fees with a slight bump up in anticipation of near future inflation. A portion of the filing fees is paid to the state general fund and that share is updated as well.

This issue came to my attention through representatives from my county, Waukesha. They pointed out that the county has lost a significant amount of revenue as a result of the change. The lost revenue is due not only to the fee amount not being updated, but also the difference in fee amounts that the county would have collected for previous large claims, those between \$5,001 and \$10,000, and the fee amount collected for small claims.

The updating of the small claims fee amount will not completely offset the difference, but it will help. If this is true for Waukesha County, I imagine it will be true for nearly every county in the state.

A fiscal estimate is being done. What we will see is that this will enhance revenue for counties and for the state general fund.

I appreciate your interest in co-sponsoring this legislation. Please email me at rep.allen@legis.wi.gov by Friday, March 6th if you are interested in co-sponsoring.

Scott Allen

Representative Scott Allen
97th District: Waukesha, Genesee, & Mukwonago
608-266-8580



MEMORANDUM

TO: Honorable Members of the Assembly Committee on Judiciary
FROM: David Callender, Government Affairs Associate
DATE: April 30, 2015
SUBJECT: Support for Assembly Bill 139, Small Claims Court Fee

The Wisconsin Counties Association (WCA) supports Assembly Bill 139 (AB 139).
AB 139 raises the filing fees for a small claims case from \$22 to \$50 and changes the distribution of the fees collected as shown:

Fee	Current Law	AB 139
State	\$11.80	\$20.00
County	\$10.20	\$30.00
Total	\$22.00	\$50.00

As the Committee may be aware, 2011 Assembly Bill 106 and 2011 Senate Bill 70 both proposed increasing the jurisdictional amount for small claims cases from \$5,000 to \$10,000, and raising the filing fee from \$22 to \$44. Unfortunately, the 2011-13 state biennial budget bill (2011 Act 32) raised the jurisdictional amounts for small claims cases without providing a corresponding increase in the filing fees for these cases.

AB 139 raises the filing fee to \$50, providing for an increase of more than \$4.1 million annually in revenues for the state and counties. According to the Supreme Court, counties would see an annual increase of \$2.9 million. This is a significant increase.

This projected funding increase would help offset the growing imbalance in funding of the circuit court system. Funding for two of the major state support programs for circuit courts – the Circuit Court Support Payment and reimbursement of Guardian Ad Litem fees – has not been increased since 1999. No increase has been proposed for either program in the 2015-17 state biennial budget.

An analysis by the Director of State Courts last year found that counties paid 63.5 percent of the costs of operating the circuit court system in FY 2013, compared to 54 percent in FY 2008. Although this proposal does not address the current inequities in circuit court funding, it provides counties with an additional revenue stream to reduce the burden on local taxpayers by shifting some of the costs back onto court users.

WCA respectfully requests the Committee approve Assembly Bill 139.

Civil Court Filings 2014

County	Opened Small Claims Cases 2014	Additional County @ \$30 retained	Additional State @ \$20 retained	Total County + State New Revenue
Adams	651	\$12,889.80	\$5,338.20	\$18,228.00
Ashland	405	\$8,019.00	\$3,321.00	\$11,340.00
Barron	1,314	\$26,017.20	\$10,774.80	\$36,792.00
Bayfield	255	\$5,049.00	\$2,091.00	\$7,140.00
Brown	6,632	\$131,313.60	\$54,382.40	\$185,696.00
Buffalo	205	\$4,059.00	\$1,681.00	\$5,740.00
Burnett	383	\$7,583.40	\$3,140.60	\$10,724.00
Calumet	656	\$12,988.80	\$5,379.20	\$18,368.00
Chippewa	1,223	\$24,215.40	\$10,028.60	\$34,244.00
Clark	495	\$9,801.00	\$4,059.00	\$13,860.00
Columbia	1,375	\$27,225.00	\$11,275.00	\$38,500.00
Crawford	377	\$7,464.60	\$3,091.40	\$10,556.00
Dane	8,701	\$172,279.80	\$71,348.20	\$243,628.00
Dodge	1,731	\$34,273.80	\$14,194.20	\$48,468.00
Door	509	\$10,078.20	\$4,173.80	\$14,252.00
Douglas	1,250	\$24,750.00	\$10,250.00	\$35,000.00
Dunn	772	\$15,285.60	\$6,330.40	\$21,616.00
Eau Claire	2,092	\$41,421.60	\$17,154.40	\$58,576.00
Florence	55	\$1,089.00	\$451.00	\$1,540.00
Fond du Lac	2,903	\$57,479.40	\$23,804.60	\$81,284.00
Forest	227	\$4,494.60	\$1,861.40	\$6,356.00
Grant	760	\$15,048.00	\$6,232.00	\$21,280.00
Green	508	\$10,058.40	\$4,165.60	\$14,224.00
Green Lake	377	\$7,464.60	\$3,091.40	\$10,556.00
Iowa	378	\$7,484.40	\$3,099.60	\$10,584.00
Iron	109	\$2,158.20	\$893.80	\$3,052.00
Jackson	557	\$11,028.60	\$4,567.40	\$15,596.00
Jefferson	1,521	\$30,115.80	\$12,472.20	\$42,588.00
Juneau	895	\$17,721.00	\$7,339.00	\$25,060.00
Kenosha	4,215	\$83,457.00	\$34,563.00	\$118,020.00
Kewaunee	330	\$6,534.00	\$2,706.00	\$9,240.00
La Crosse	2,419	\$47,896.20	\$19,835.80	\$67,732.00
Lafayette	170	\$3,366.00	\$1,394.00	\$4,760.00
Langlade	579	\$11,464.20	\$4,747.80	\$16,212.00
Lincoln	831	\$16,453.80	\$6,814.20	\$23,268.00
Manitowoc	1,775	\$35,145.00	\$14,555.00	\$49,700.00

County	Opened Small Claims Cases 2014	Additional County @ \$30 retained	Additional State @ \$20 retained	Total County + State New Revenue
Marathon	3,609	\$71,458.20	\$29,593.80	\$101,052.00
Marquette	1,083	\$21,443.40	\$8,880.60	\$30,324.00
Marquette	194	\$3,841.20	\$1,590.80	\$5,432.00
Menominee	69	\$1,366.20	\$565.80	\$1,932.00
Milwaukee	35,163	\$696,227.40	\$288,336.60	\$984,564.00
Monroe	1,029	\$20,374.20	\$8,437.80	\$28,812.00
Oconto	795	\$15,741.00	\$6,519.00	\$22,260.00
Oneida	937	\$18,552.60	\$7,683.40	\$26,236.00
Outagamie	3,850	\$76,230.00	\$31,570.00	\$107,800.00
Ozaukee	906	\$17,938.80	\$7,429.20	\$25,368.00
Pepin	98	\$1,940.40	\$803.60	\$2,744.00
Pierce	597	\$11,820.60	\$4,895.40	\$16,716.00
Polk	963	\$19,067.40	\$7,896.60	\$26,964.00
Portage	1,353	\$26,789.40	\$11,094.60	\$37,884.00
Price	285	\$5,643.00	\$2,337.00	\$7,980.00
Racine	5,100	\$100,980.00	\$41,820.00	\$142,800.00
Richland	331	\$6,553.80	\$2,714.20	\$9,268.00
Rock	3,969	\$78,586.20	\$32,545.80	\$111,132.00
Rusk	350	\$6,930.00	\$2,870.00	\$9,800.00
Sauk	1,675	\$33,165.00	\$13,735.00	\$46,900.00
Sawyer	337	\$6,672.60	\$2,763.40	\$9,436.00
Shawano	943	\$18,671.40	\$7,732.60	\$26,404.00
Sheboygan	2,896	\$57,340.80	\$23,747.20	\$81,088.00
St. Croix	1,564	\$30,967.20	\$12,824.80	\$43,792.00
Taylor	452	\$8,949.60	\$3,706.40	\$12,656.00
Trempealeau	634	\$12,553.20	\$5,198.80	\$17,752.00
Vernon	610	\$12,078.00	\$5,002.00	\$17,080.00
Vilas	388	\$7,682.40	\$3,181.60	\$10,864.00
Walworth	1,827	\$36,174.60	\$14,981.40	\$51,156.00
Washburn	343	\$6,791.40	\$2,812.60	\$9,604.00
Washington	1,925	\$38,115.00	\$15,785.00	\$53,900.00
Waukesha	5,452	\$107,949.60	\$44,706.40	\$152,656.00
Waupaca	1,059	\$20,968.20	\$8,683.80	\$29,652.00
Waushara	446	\$8,830.80	\$3,657.20	\$12,488.00
Winnebago	4,059	\$80,368.20	\$33,283.80	\$113,652.00
Wood	1,816	\$35,956.80	\$14,891.20	\$50,848.00
Totals	134,742	\$2,667,891.60	\$1,104,884.40	\$3,772,776.00