

CLERK OF COURTS AND REGISTER IN PROBATE OFFICES CHARGE FOR COURT COSTS, FEES AND SURCHARGES

INTENT & SYNOPSIS: To encourage the Wisconsin legislature to revise the statutes for a consistent charge for court costs, fees, and surcharges in the offices of the Clerk of Courts and Register in Probate.

WHEREAS, Wisconsin Statutes Chapter 814 covers court costs, fees, and surcharges. Subsection 814.66 applies to the office of the Register in Probate. Probate and Juvenile Court handles other case types for which fees are not covered in Sec. 814.66 or other statutes. The result is cases filed with the court without a filing fee; and

WHEREAS, some fees and costs collected by the probate office are different from fees collected by the Clerk of Court for the same items. This can cause confusion. Different fees and costs for an identical item seem inappropriate; and

WHEREAS, employees of the Clerk of Court and Register in Probate are all county employees, usually working in proximity to the court, if not in the same office using the same equipment. The employees use CCAP provided computers and printers as well as county provided copiers. There is no discernable difference in these two offices related to copying and issuing certificates; and

WHEREAS, the Legislature should revise the statutes for consistency. Require fees and costs charged by the Clerk of Court and Register in Probate to be the same for the same item or service. Require fees for probate and juvenile court as indicated below:

Probate Copy Fees increase from \$1.00 to \$1.25 per page

Probate Certification of Document Fees increase from \$3.00 to \$5.00 per document; and

WHEREAS, the Judicial and Legislative Committee supports revising the statutes to collect fees and costs associated with probate cases and juvenile court proceedings as outlined herein.

NOW, THEREFORE, THE WASHBURN COUNTY BOARD OF SUPERVISORS HEREBY RESOLVES to support the Wisconsin Register in Probate Association in its efforts to revise Wisconsin Statutes consistent with the resolution and further urges the Legislature to revise and amend the related statutes to further consistency between the fee structures outlined in the statutes.

BE IT FURTHER RESOLVED that the County Clerk is directed to send a copy of this resolution to Governor Tony Evers, the Wisconsin Counties Association, all members of the State Legislature, and to each Wisconsin County.

Fiscal Impact: Minimal increase in fees collected

Recommended for Adoption on this 7th day of November, by the Finance Committee



David Haessig, Chairman


Tom Mackie


Chris Thompson, Vice Chair

Motion: Haessig Second: Quinn

(Voice) (Roll) vote: Yes X No _____


David Masterjohn

I, Lolita Olson, as County Clerk, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the County of Washburn at the meeting held on: 11-12-19


Linda Featherly


Lolita Olson