

Judiciary 1

LSO-0053

HOUSE BILL

0031

HOUSE BILL 0031

T#

HB0031 Court fees.

AN ACT relating to court fees; creating a judicial systems automation account; providing for the use of the funds within the account; providing an increase in certain filing fees; providing for the imposition of a court automation fee under certain circumstances; providing for deposit of the court automation fee into the judicial systems automation account; providing an appropriation; and providing for an effective date.□

Introduced by:

PATRICIA NAGEL

HOUSE ACTION ON HOUSE BILL

2/14 ☒ Introduced
Aye 57 No 3 Ex 0 Ab 0
☒ Read First Time and Ref. to
Committee No. 1
☐ Failed Introduction
Aye ___ No ___ Ex ___ Ab ___
2/16 Returned from Committee No. 01
with Recommendation:
☐ Do Pass; ☒ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
/ Re-referred to Committee No. ___
/ Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
2/23 Considered in Comm. of Whole
☒ Amended
☒ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
2/24 Read Second Time
☒ Amended
☒ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
2/25 Read Third Time
☐ Amended
☒ Passed ☐ Failed
Aye 57 No 2 Ex 1 Ab 0
☐ Held for Reconsideration
/ Motion to Reconsider
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
/ Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
/ Sent to Senate (No Amendments)
2/25 Sent to LSO for Engrossing
2/25 ENGROSSED
2/28 Sent to Senate

SENATE ACTION ON HOUSE BILL

2/28 Received. Read First Time.
Referred to Committee No. 1
3/3 Returned from Committee No. 1
with Recommendation:
☒ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
3/3 Re-referred to Committee No. 2
3/6 Returned from Committee No. 2
with Recommendation:
☐ Do Pass; ☒ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
3/6 Considered in Comm. of Whole
☒ Amended
☒ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
3/7 Read Second Time
☐ Amended
☒ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
3/8 Read Third Time
☒ Amended
☒ Passed ☐ Failed
Aye 27 No 3 Ex 0 Ab 0
☐ Held for Reconsideration
/ Motion to Reconsider
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
/ Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
3/8 Sent to House
3/8 Sent for Enrolling
HEA No. 36
3/9 Signed by Speaker
3/9 Signed by President
3/10 Approved by Governor
Chapter No. 25

NOTES: ADDITIONAL HOUSE / SENATE ACTION

____/____ JCC# 3 ____/____ JCC# 3
 House Members Senate Members
 _____Ch. _____Ch.

 ____/____ [] Request for New Committee.
 ____/____ [] House Adopted JCC#____
 ____/____ [] House Did Not Adopt JCC#____
 Aye____ No____ Ex____ Ab____
 [] Senate Adopted
 [] Senate Did Not Adopt
 Aye____ No____ Ex____ Ab____

[illegible]

AMENDMENT LIST

DATE 2/23/00 BILL NO. HB0031 Circle One: (COW) 2nd 3rd

HS001/A

HW001/A

AMENDMENT LIST

DATE 2/24/00 BILL NO. HB 31 Circle One: COW 2nd 3rd

H2001/F

H2002/A

AMENDMENT LIST

DATE 2/25/00 BILL NO. HB0031 Circle One: COW 2nd 3rd

H3001/F

AMENDMENT LIST

DATE 3-6-00 BILL NO. H1331 Circle One: COW 2nd 3rd

SS001/A E Larson

AMENDMENT LIST

DATE 3-8-00 BILL NO. FEB 31 Circle One: COW 2nd 3rd

53001/AE Schiffen

53002/AE Kinnison

53003/WE Rogers

HOUSE BILL NO. HB0031

Court fees.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to court fees; creating a judicial systems
2 automation account; providing for the use of the funds
3 within the account; providing an increase in certain filing
4 fees; providing for the imposition of a court automation fee
5 under certain circumstances; providing for deposit of the
6 court automation fee into the judicial systems automation
7 account; providing an appropriation; and providing for an
8 effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12 **Section 1.** W.S. 5-2-120 is created to read:

13

14 **5-2-120. Judicial systems automation account created;**
15 **purposes.**

16

17 There is created within the special revenue fund an account
18 entitled the "judicial systems automation account." Subject

1 to legislative appropriation, funds within the account shall
2 be used by the supreme court for the purchase, maintenance
3 and operation of computer hardware and software to enhance
4 the communication, records and management needs of the
5 courts of the judicial branch of the state of Wyoming.
6 Interest accruing to this account shall be retained therein
7 and shall be expended for the purposes provided in this
8 section, as appropriated by the legislature. Annually, the
9 supreme court shall develop a plan for all trial and
10 appellate courts within the state for the expenditure of
11 funds from the account.

12

13 **Section 2.** W.S. 2-2-401(a)(i) and by creating a new
14 paragraph (iii), 5-2-202, 5-3-205, 5-3-206(a)(i), (vii) and
15 (x), 5-5-137, 5-5-152, 5-5-154, 5-6-108, 5-6-204, 5-6-303,
16 6-10-102, 6-10-103 and 35-21-103(d) are amended to read:

17

18 **2-2-401. Schedule; additional charges.**

19

20 (a) For probate matters filed or commenced, the clerk
21 of the district court shall collect fees as follows:

22

23 (i) Original filing fee ~~\$10.00~~ \$50.00

24

1 (iii) In addition to the original filing fee
2 under paragraph (a)(i) of this subsection, a court
3 automation fee in the amount of ten dollars (\$10.00) which
4 shall be deposited into the judicial systems automation
5 account established by W.S. 5-2-120.

6
7 **5-2-202. Collection of fees.**

8
9 The clerk of the supreme court shall collect the following
10 fees from the plaintiff in error or appellant, or in case of
11 an original proceeding the plaintiff or relator shall, at
12 the time of filing the petition in error or record on appeal
13 or when commencing the cause in this court, the sum of
14 twenty-five dollars (\$25.00). At the time of filing, the
15 clerk also shall collect a court automation fee in the
16 amount of ten dollars (\$10.00) which shall be deposited into
17 the judicial systems automation account established by W.S.
18 5-2-120. Other fees or charges to be assessed within the
19 clerk's office are to be determined under rules of the
20 supreme court.

21
22 **5-3-205. Collection of fees in advance; payment to**
23 **treasurer; liability for collection.**

1 All fees prescribed by statute for civil business, shall be
2 collected in advance by the clerk and paid to the treasurer
3 of the county at the end of each month, ~~and except that the~~
4 clerk shall remit the court automation fee prescribed by
5 W.S. 2-2-401(a)(iii), 5-3-206(a)(i), (vii) and (x), 6-10-102
6 and 6-10-103 to the judicial systems automation account
7 established by W.S. 5-2-120 at the end of each month. The
8 clerk shall be liable under his bond for the collection and
9 payment of such fees.

10

11 **5-3-206. Fees.**

12

13 (a) For all civil matters filed or commenced, the
14 clerk of each district court shall charge the following
15 fees:

16

17 (i) For filing instruments or documents in each
18 civil action and certifying one (1) copy of any order,
19 decree or judgment at the time of its filing for each party,
20 an original filing fee of ~~twenty-five dollars (\$25.00)~~ sixty
21 dollars (\$60.00) which shall be paid by the plaintiff. This
22 fee shall apply to original actions commenced and to actions
23 that are reopened after a final decree previously has been
24 entered. Ten dollars (\$10.00) of the filing fee of sixty

1 dollars (\$60.00) shall be for court automation and shall be
2 remitted as provided in W.S. 5-3-205;

3

4 (vii) For all transcripts in cases appealed to
5 the supreme court, ~~twenty-five dollars (\$25.00)~~ sixty
6 dollars (\$60.00), including certificates, seals and
7 transmission. Ten dollars (\$10.00) of the fee of sixty
8 dollars (\$60.00) under this paragraph shall be for court
9 automation and shall be remitted as provided in W.S.
10 5-3-205;

11

12 (x) For docketing and in payment of clerk's fee
13 after docketing incident to any appeal or bill of exception
14 from a justice's court, ~~ten dollars (\$10.00)~~ thirty dollars
15 (\$30.00), and for docketing any transcript of judgment from
16 justice's court upon the judgment and execution dockets, ~~two~~
17 ~~dollars and fifty cents (\$2.50)~~ twenty dollars (\$20.00),
18 which amount shall be paid by appellant, or by judgment
19 holder to the clerk at time of docketing. Ten dollars
20 (\$10.00) of any fee imposed under this paragraph shall be
21 for court automation and shall be remitted as provided in
22 W.S. 5-3-205.

23

24 **5-5-137. Filing fee.**

25

1 For all civil matters the county court shall collect from
2 the plaintiff a an original filing fee of ~~ten dollars~~
3 ~~(\$10.00)~~ twenty dollars (\$20.00), and a court automation fee
4 of ten dollars (\$10.00), excluding small claims civil
5 actions as provided in W.S. 1-21-201 through 1-21-205 which
6 shall have a filing fee of ten dollars (\$10.00). The court
7 automation fee shall be deposited into the judicial systems
8 automation account as provided by W.S. 5-5-152.

9
10 **5-5-152. Receipts for money paid into court.**

11
12 When any money is paid into a county court, a receipt for
13 said amount shall be issued promptly upon a form prescribed
14 by the director of the state department of audit. The
15 receipts shall be prenumbered in numerical sequence. The
16 original copy shall be delivered to a payor making payment
17 by cash or in person, otherwise the original shall be
18 attached to the court file. A copy shall be filed in the
19 office of the issuing judge. The receipts shall be
20 prenumbered by the printer, and the printer shall give to
21 the director a receipt showing the numbers so printed. The
22 county court shall pay all fines, forfeitures and other
23 penalties to the county treasurer and all fees, costs and
24 other receipts to the state treasurer. The court automation
25 fee prescribed by W.S. 5-5-137 or established by court rule

1 shall be deposited by the state treasurer into the judicial
2 systems automation account established by W.S. 5-2-120.

3

4 **5-5-154. Deposit of money with county or state**
5 **treasurer.**

6

7 When any fines, forfeitures, ~~or~~ costs or fees are deposited
8 with the judge of a county court pursuant to any action or
9 proceedings in the court, or pursuant to any order, decree
10 or judgment of the court, the money in his possession shall
11 be deposited no later than the tenth day following the month
12 of receipt with the county or state treasurer. If the money
13 has not been so deposited by the tenth day of the month and
14 no just cause is shown, said judge shall forfeit twenty-five
15 dollars (\$25.00) a day for each day after the tenth day of
16 the month during which ~~no~~ the deposits have not been made.

17

18 **5-6-108. Costs.**

19

20 Each city or town in the state of Wyoming may prescribe by
21 ordinance such costs in all trials before municipal courts
22 as may be necessary or deemed expedient. However, the costs
23 shall not exceed ten dollars (\$10.00). All costs collected
24 shall be turned into the treasury of the city or town. By
25 ordinance a city or town may prescribe a court automation

1 fee of ten dollars (\$10.00) as a cost to be paid by every
2 person guilty of a violation of a city or town ordinance.

3

4 5-6-204. Fines and penalties to be paid to city
5 treasurer; report of cases; failure to comply with section.

6

7 All fines and penalties collected and arising from a breach
8 of a city ordinance shall be deposited with the city
9 treasurer, and the municipal judge shall report at the end
10 of each calendar month a list of all cases for violations of
11 city ordinances instituted in his court, and the disposition
12 thereof, with a statement of the fines, penalties and costs
13 received. At the end of each month the judge shall deposit
14 with the city treasurer all fines, penalties and costs
15 received. If the municipal judge fails to report and deposit
16 all fines, penalties and costs for a period of twenty-five
17 (25) days, his office shall be declared vacant. If a city
18 enacts an ordinance prescribing a court automation fee as
19 provided in W.S. 5-6-108, the fee shall be remitted to the
20 judicial systems automation account established by W.S.
21 5-2-120.

22

23 5-6-303. Disposition of fines and penalties.

24

1 All fines and penalties collected, arising from a breach of
2 the ordinances of ~~such~~the town, shall be paid into the town
3 treasury. If a town enacts an ordinance prescribing a court
4 automation fee as provided in W.S. 5-6-108, the fee shall be
5 remitted to the judicial systems automation account
6 established by W.S. 5-2-120.

7

8 6-10-102. Imposition of fine for any felony; maximum
9 fine where not established by statute; court automation fee.

10

11 The court may impose a fine as part of the punishment for
12 any felony. If the statute does not establish a maximum
13 fine, the fine shall be not more than ten thousand dollars
14 (\$10,000.00). The court shall impose a court automation fee
15 of ten dollars (\$10.00) in every criminal case wherein the
16 defendant is found guilty, enters a plea of guilty or no
17 contest or is placed on probation under W.S. 7-13-301. The
18 fee shall be remitted as provided by W.S. 5-3-205.

19

20 6-10-103. Penalties for misdemeanors where not
21 prescribed by statute.

22

23 Unless a different penalty is prescribed by law, every crime
24 declared to be a misdemeanor is punishable by imprisonment
25 in the county jail for not more than six (6) months, a fine

1 of not more than seven hundred fifty dollars (\$750.00), or
2 both. The court shall impose a court automation fee of ten
3 dollars (\$10.00) in every criminal case wherein the
4 defendant is found guilty, enters a plea of guilty or no
5 contest or is placed on probation under W.S. 7-13-301. The
6 fee shall be remitted as provided by W.S. 5-3-205.

7

8 35-21-103. Petition for order of protection; contents;
9 prerequisites; indigent petitioners; counsel to be provided
10 petitioners.

11

12 (d) No filing fee or other court costs or fees shall
13 be assessed or charged to a petitioner seeking an order of
14 protection under this act.

15

16 **Section 3.** There is appropriated to the supreme court
17 from the judicial systems automation account six hundred
18 twenty-three thousand three hundred twelve dollars
19 (\$623,312.00) to be expended for the purposes specified in
20 W.S. 5-2-120.

21

22 **Section 4.** This act is effective July 1, 2000.

23

24

(END)

HOUSE BILL NO. HB0031

INTRODUCED

Court fees.

Sponsored by: Joint Judiciary Interim Committee

A BILL

for

1 AN ACT relating to court fees; creating a judicial systems
2 automation account; providing for the use of the funds
3 within the account; providing an increase in certain filing
4 fees; providing for the imposition of a court automation fee
5 under certain circumstances; providing for deposit of the
6 court automation fee into the judicial systems automation
7 account; and providing for an effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 5-2-120 is created to read:

12

13 **5-2-120. Judicial systems automation account created;**
14 **purposes.**

15

16 There is created within the special revenue fund an account
17 entitled the "judicial systems automation account." Funds
18 within the account shall be used by the supreme court for

1 the purchase, maintenance and operation of computer hardware
2 and software to enhance the communication, records and
3 management needs of the courts of the judicial branch of the
4 state of Wyoming. Interest accruing to this account shall be
5 retained therein and may be expended for the purposes
6 provided in this section. Annually, the supreme court shall
7 develop a plan for all trial and appellate courts within the
8 state for the expenditure of funds from the account.

9

10 **Section 2.** W.S. 2-2-401(a)(i) and by creating a new
11 paragraph (iii), 5-2-202, 5-3-205, 5-3-206(a)(i), (vii) and
12 (x), 5-5-137, 5-5-152, 5-5-154, 5-6-108, 5-6-204, 5-6-303,
13 6-10-102, 6-10-103 and 35-21-103(d) are amended to read:

14

15 **2-2-401. Schedule; additional charges.**

16

17 (a) For probate matters filed or commenced, the clerk
18 of the district court shall collect fees as follows:

19

20 (i) Original filing fee ~~\$10.00~~ \$50.00

21

22 (iii) In addition to the original filing fee
23 under paragraph (a)(i) of this subsection, a court
24 automation fee in the amount of ten dollars (\$10.00) which

1 shall be deposited into the judicial systems automation
2 account established by W.S. 5-2-120.

3

4 **5-2-202. Collection of fees.**

5

6 The clerk of the supreme court shall collect the following
7 fees from the plaintiff in error or appellant, or in case of
8 an original proceeding the plaintiff or relator shall, at
9 the time of filing the petition in error or record on appeal
10 or when commencing the cause in this court, the sum of
11 twenty-five dollars (\$25.00). At the time of filing, the
12 clerk also shall collect a court automation fee in the
13 amount of ten dollars (\$10.00) which shall be deposited into
14 the judicial systems automation account established by W.S.
15 5-2-120. Other fees or charges to be assessed within the
16 clerk's office are to be determined under rules of the
17 supreme court.

18

19 **5-3-205. Collection of fees in advance; payment to**
20 **treasurer; liability for collection.**

21

22 All fees prescribed by statute for civil business, shall be
23 collected in advance by the clerk and paid to the treasurer
24 of the county at the end of each month, and except that the
25 clerk shall remit the court automation fee prescribed by

1 W.S. 5-3-206(a)(i), (vii) and (x), 6-10-102 and 6-10-103 to
2 the judicial systems automation account established by W.S.
3 5-2-120 at the end of each month. The clerk shall be liable
4 under his bond for the collection and payment of such fees.

5

6 **5-3-206. Fees.**

7

8 (a) For all civil matters filed or commenced, the
9 clerk of each district court shall charge the following
10 fees:

11

12 (i) For filing instruments or documents in each
13 civil action and certifying one (1) copy of any order,
14 decree or judgment at the time of its filing for each party,
15 an original filing fee of ~~twenty-five dollars (\$25.00)~~ sixty
16 dollars (\$60.00) which shall be paid by the plaintiff. This
17 fee shall apply to original actions commenced and to actions
18 that are reopened after a final decree previously has been
19 entered. Ten dollars (\$10.00) of the filing fee of sixty
20 dollars (\$60.00) shall be for court automation and shall be
21 remitted as provided in W.S. 5-3-205;

22

23 (vii) For all transcripts in cases appealed to
24 the supreme court, ~~twenty-five dollars (\$25.00)~~ sixty
25 dollars (\$60.00), including certificates, seals and

1 transmission. Ten dollars (\$10.00) of the fee of sixty
2 dollars (\$60.00) under this paragraph shall be for court
3 automation and shall be remitted as provided in W.S.
4 5-3-205;

5
6 (x) For docketing and in payment of clerk's fee
7 after docketing incident to any appeal or bill of exception
8 from a justice's court, ~~ten dollars (\$10.00)~~ thirty dollars
9 (\$30.00), and for docketing any transcript of judgment from
10 justice's court upon the judgment and execution dockets, ~~two~~
11 ~~dollars and fifty cents (\$2.50)~~ twenty dollars (\$20.00),
12 which amount shall be paid by appellant, or by judgment
13 holder to the clerk at time of docketing. Ten dollars
14 (\$10.00) of any fee imposed under this paragraph shall be
15 for court automation and shall be remitted as provided in
16 W.S. 5-3-205.

17
18 **5-5-137. Filing fee.**

19
20 For all civil matters the county court shall collect from
21 the plaintiff a filing fee of ~~ten dollars (\$10.00)~~ twenty
22 dollars (\$20.00), excluding small claims civil actions,
23 which actions are as provided in W.S. 1-21-201 through
24 1-21-205, which shall have a filing fee of ten dollars
25 (\$10.00), and a court automation fee of ten dollars

1 (\$10.00). The court automation fee shall be deposited into
2 the judicial systems automation account as provided by W.S.
3 5-5-152.

4

5 **5-5-152. Receipts for money paid into court.**

6

7 When any money is paid into a county court, a receipt for
8 said amount shall be issued promptly upon a form prescribed
9 by the director of the state department of audit. The
10 receipts shall be prenumbered in numerical sequence. The
11 original copy shall be delivered to a payor making payment
12 by cash or in person, otherwise the original shall be
13 attached to the court file. A copy shall be filed in the
14 office of the issuing judge. The receipts shall be
15 prenumbered by the printer, and the printer shall give to
16 the director a receipt showing the numbers so printed. The
17 county court shall pay all fines, forfeitures and other
18 penalties to the county treasurer and all fees, costs and
19 other receipts to the state treasurer. The court automation
20 fee prescribed by W.S. 5-5-137 or established by court rule
21 shall be deposited by the state treasurer into the judicial
22 systems automation account established by W.S. 5-2-120.

23

24 **5-5-154. Deposit of money with county or state**
25 **treasurer.**

1
2 When any fines, forfeitures, ~~or~~ costs or fees are deposited
3 with the judge of a county court pursuant to any action or
4 proceedings in the court, or pursuant to any order, decree
5 or judgment of the court, the money in his possession shall
6 be deposited no later than the tenth day following the month
7 of receipt with the county or state treasurer. If the money
8 has not been so deposited by the tenth day of the month and
9 no just cause is shown, said judge shall forfeit twenty-five
10 dollars (\$25.00) a day for each day after the tenth day of
11 the month during which no deposits have been made.

12

13 **5-6-108. Costs.**

14

15 Each city or town in the state of Wyoming may prescribe by
16 ordinance such costs in all trials before municipal courts
17 as may be necessary or deemed expedient. However, the costs
18 shall not exceed ten dollars (\$10.00). All costs collected
19 shall be turned into the treasury of the city or town. By
20 ordinance a city or town may prescribe a court automation
21 fee of ten dollars (\$10.00) as a cost to be paid by every
22 person guilty of a violation of a city or town ordinance.

23

24 **5-6-204. Fines and penalties to be paid to city**
25 **treasurer; report of cases; failure to comply with section.**

1

2 All fines and penalties collected and arising from a breach
3 of a city ordinance shall be deposited with the city
4 treasurer, and the municipal judge shall report at the end
5 of each calendar month a list of all cases for violations of
6 city ordinances instituted in his court, and the disposition
7 thereof, with a statement of the fines, penalties and costs
8 received. At the end of each month the judge shall deposit
9 with the city treasurer all fines, penalties and costs
10 received. If the municipal judge fails to report and deposit
11 all fines, penalties and costs for a period of twenty-five
12 (25) days, his office shall be declared vacant. If a city
13 enacts an ordinance prescribing a court automation fee as
14 provided in W.S. 5-6-108, the fee shall be remitted to the
15 judicial systems automation account established by W.S.
16 5-2-120.

17

18 **5-6-303. Disposition of fines and penalties.**

19

20 All fines and penalties collected, arising from a breach of
21 the ordinances of such town, shall be paid into the town
22 treasury. If a town enacts an ordinance prescribing a court
23 automation fee as provided in W.S. 5-6-108, the fee shall be
24 remitted to the judicial systems automation account
25 established by W.S. 5-2-120.

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6-10-102. Imposition of fine for any felony; maximum fine where not established by statute; court automation fee.

The court may impose a fine as part of the punishment for any felony. If the statute does not establish a maximum fine, the fine shall be not more than ten thousand dollars (\$10,000.00). The court shall impose a court automation fee of ten dollars (\$10.00) in every criminal case wherein the defendant is found guilty, enters a plea of guilty or no contest or is placed on probation under W.S. 7-13-301. The fee shall be remitted as provided by W.S. 5-3-205.

6-10-103. Penalties for misdemeanors where not prescribed by statute.

Unless a different penalty is prescribed by law, every crime declared to be a misdemeanor is punishable by imprisonment in the county jail for not more than six (6) months, a fine of not more than seven hundred fifty dollars (\$750.00), or both. The court shall impose a court automation fee of ten dollars (\$10.00) in every criminal case wherein the defendant is found guilty, enters a plea of guilty or no contest or is placed on probation under W.S. 7-13-301. The fee shall be remitted as provided by W.S. 5-3-205.

1

2 **35-21-103. Petition for order of protection; contents;**
3 **prerequisites; indigent petitioners; counsel to be provided**
4 **petitioners.**

5

6 (d) No filing fee or other court costs or fees shall
7 be assessed or charged to a petitioner seeking an order of
8 protection under this act.

9

10 **Section 3.** This act is effective July 1, 2000.

11

12

(END)

FISCAL NOTE

	FY 2001	FY 2002	FY 2003
NON-ADMINISTRATIVE IMPACT			
<u>Anticipated Revenue From:</u>			
SPECIAL REVENUE FUND -	1,190,000	1,220,000	1,220,000
Judicial Systems			
Automation Account			

Source of revenue and assumptions:

Ten dollar filing fee on court cases, excluding: domestic violence and juvenile cases.

The revenue is based on a projection of what would have been collected in 1998 and 1997 using case filings from those years.

Calculation:

	<u>1998</u>	<u>1997</u>
Supreme Court	381	379
District Court	14,030	14,055
County Court	<u>104,570</u>	<u>106,379</u>
TOTALS	<u>118,981</u>	<u>120,813</u>
Revenue at \$10 filing fee	\$1,189,810	\$1,208,130

Prepared by: Holly Hansen Phone: 777-7480

In addition, the above estimates only account for the estimated revenue increases as a result of the imposition of a court automation fee. The bill also provides for the following increases above the automation fee and not included in the estimates.

2-2-401 District court filing fee (probate)	\$40 additional increase
5-3-206 District court filing fee (civil)	\$25 additional increase
5-3-206 District court fee (transcripts)	\$25 additional increase
5-3-206 District court fee (docketing)	\$10 and \$7.50 additional increase
5-5-137 County court filing fee	\$10 additional increase for specified claims

Prepared by: Don Richards Phone: 777-7881

HB 31

FIFTY-FIFTH WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
BUDGET SESSION
2000

SEQUENCE : 5516

FEBRUARY 14 2000

BILL : HB0031

3:43 PM

AMENDMENT:

MOVED BY : REP. NAGEL

SECONDED BY:

TITLE1 :

TITLE2 :

ACTION : TO INTRODUCE

ANDERSON, J.... A
ANDERSON, R.... A
BADGETT..... A
BAKER..... A
BOSWELL..... A
BURNS..... A
CHILDERS..... A
COHEE..... A
DEEGAN..... A
DIERCKS..... A
ESQUIBEL..... A
EYRE..... A
FLEMING..... A
HAGEMAN..... A
HESSENTHALER... N
HINES..... A
HUCKFELDT..... N
ILLOWAY..... A
JOHNSON, L.... A
JOHNSON, W.... A
JONES..... A
LANDON..... A
LAW..... A
LUTHI..... A
MCGRAW..... A
MCMURTREY..... A
MCOMIE..... A
MEULI..... A
MORGAN..... A
NAGEL..... A

NELSON..... A
NICHOLAS..... A
OSBORN..... A
PARADY..... A
PASENEAUX..... A
PHILLIPS..... A
PHILP..... A
RARDIN..... A
REESE..... A
ROBINSON..... A
ROSE, J..... A
ROSE, T..... A
ROSS..... A
ROUNDS..... A
RYCKMAN..... A
SADLER..... N
SAMUELSON..... A
SHIVLER..... A
SIMONS..... A
SIMPSON..... A
STAFFORD..... A
TANNER..... A
TEMPEST..... A
TIPTON..... A
TOMASSI..... A
WASSERBURGER... A
WILLFORD..... A
WOSTENBERG..... A
ZANETTI..... A
BEBOUT, MR. SPK A

VOTE REQ: 2/3 OF MEMBERSHIP REQUIRED

AYES : 57

NOES : 3

EXCUSED : 0

ABSENT : 0

CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

- 1
2 -Page 2-line 5 ✓ Delete "may" insert "shall".
3
4 -Page 4-line 1 ✓ After "W.S." insert "2-2-401(a)(iii),".
5
6 -Page 5-line 21 ✓ Strike "a" insert "an original".
7
8 -Page 5-lines 22 through 25 Delete entirely and insert: ✓
9
10 "dollars (\$20.00), and a court automation fee of ten dollars
11 (\$10.00), excluding small claims civil actions as provided in
12 W.S. 1-21-201 through 1-21-205 which shall have a filing fee of
13 ten dollars (\$10.00)."
14
15 -Page 6-line 1 Delete "(\$10.00)." ✓
16
17 -Page 7-line 11 ✓ Strike "no" insert "the"; after "have"
18 insert "not".
19
20 Page 8-line 21 ✓ Strike "such" insert "the". NAGEL, CHAIRMAN
21

THE LEGISLATURE OF THE STATE OF WYOMING
House of Representatives

Mr. Speaker:

February 16, 2000

Your

Committee H01 JUDICIARY

to whom was referred

HB0031 respectfully reports same back to the House with the recommendation that it **DO PASS** with the following amendment(s): (SEE SCHEDULE A)

Legislator	AYE	NO	ABSENT	EXCUSED	CONFLICT
Johnson, L.	X				
Luthi	X				
Morgan	X				
Nagel	X				
Nicholas	X				
Robinson	X				
Rose, T.	X				
Simpson	X				
Wasserburger	X				

AYES = 9

TOTAL = 9

PATRICIA NAGEL

Nagel, Chairman

SCHEDULE A

1
2 Page 2-line 5 Delete "may" insert "shall".
3
4 Page 4-line 1 After "W.S." insert "2-2-401(a)(iii),".
5
6 Page 5-line 21 Strike "a" insert "an original".
7
8 Page 5-lines 22 through 25 Delete entirely and insert:
9
10 "dollars (\$20.00), and a court automation fee of ten dollars
11 (\$10.00), excluding small claims civil actions as provided in
12 W.S. 1-21-201 through 1-21-205 which shall have a filing fee of
13 ten dollars (\$10.00)."
14
15 Page 6-line 1 Delete "(\$10.00).".
16
17 Page 7-line 11 Strike "no" insert "the"; after "have"
18 insert "not".
19
20 Page 8-line 21 Strike "such" insert "the". NAGEL, CHAIRMAN

A

C

- 1
- 2 ← Page 1-line 17 ✓ Delete "Funds" insert "Subject to
- 3 legislative appropriation, funds".
- 4
- 5 ← Page 2-line 6 ✓ After "section" insert ", as appropriated by
- 6 the legislature". BURNS

HB0031H2001

F

C

1 Page 2-line 20

Delete "\$50.00" insert "\$20.00". ROBINSON

A

C

1
2 ~~Page 1-line 7~~ After ";" insert "providing an
3 appropriation;".
4
5 Page 10-After line 9 Insert the following new section and
6 renumber as necessary:
7
8 "Section 3. There is appropriated to the supreme court
9 from the judicial systems automation account six hundred twenty-
10 three thousand three hundred twelve dollars (\$623,312.00) to be
11 expended for the purposes specified in W.S. 5-2-120.". DEEGAN

HB0031H3001

IF

C

1
2
3

Page 2-line 20

Delete "\$50.00" insert "\$30.00". ROBINSON,
MCOMIE

FIFTY-FIFTH WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
BUDGET SESSION
2000

SEQUENCE : 5731

FEBRUARY 25 2000

BILL : HB0031

8:55 AM

AMENDMENT:

MOVED BY :

SECONDED BY:

TITLE1 :

TITLE2 :

ACTION : THIRD READING REGULAR

ANDERSON, J.... A
ANDERSON, R.... A
BADGETT..... A
BAKER..... A
BOSWELL..... A
BURNS..... A
CHILDERS..... A
COHEE..... A
DEEGAN..... A
DIERCKS..... A
ESQUIBEL..... A
EYRE..... A
FLEMING..... A
HAGEMAN..... A
HESSENTHALER... A
HINES..... A
HUCKFELDT..... A
ILLOWAY..... A
JOHNSON, L.... A
JOHNSON, W.... A
JONES..... A
LANDON..... A
LAW..... A
LUTHI..... A
MCGRAW..... A
MCMURTREY..... A
MCOMIE..... A
MEULI..... A
MORGAN..... A
NAGEL..... A

NELSON..... A
NICHOLAS..... A
OSBORN..... A
PARADY..... A
PASENEAU..... A
PHILLIPS..... A
PHILP..... A
RARDIN..... A
REESE..... A
ROBINSON..... A
ROSE, J..... A
ROSE, T..... A
ROSS..... A
ROUNDS..... A
RYCKMAN..... E
SADLER..... N
SAMUELSON..... A
SHIVLER..... A
SIMONS..... A
SIMPSON..... A
STAFFORD..... A
TANNER..... A
TEMPEST..... A
TIPTON..... A
TOMASSI..... A
WASSERBURGER... A
WILLFORD..... A
WOSTENBERG..... A
ZANETTI..... N
BEBOUT, MR. SPK A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 57

NOES : 2

EXCUSED : 1

ABSENT : 0

CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

March 3, 2000

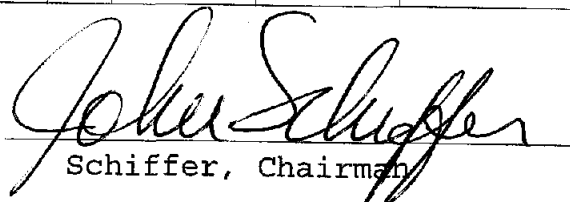
Mr. President:

Your
 Committee S01 JUDICIARY
 to whom was referred
 HB0031~~6~~ respectfully reports same back to the Senate with the recommendation
 that it **DO PASS**

Legislator	AYE	NO	ABSENT	EXCUSED	CONFLICT
Goodenough	X				
Hanes	X				
Job	X				
Schiffer	X				
Youngbauer	X				

AYES = 5

TOTAL = 5


 Schiffer, Chairman

BILL JACKET

HB0031SS001/A E

[TO ENGROSSED COPY]

Page 10-line 17 ✓ After "account" insert "not to exceed".
LARSON, CHAIRMAN

MQ

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

March 6, 2000

Mr. President:

Your
Committee S02 APPROPRIATIONS
to whom was referred
HB0031 respectfully reports same back to the Senate with the recommendation
that it DO PASS with the following amendment(s): (SEE SCHEDULE A)

Legislator	AYE	NO	ABSENT	EXCUSED	CONFLICT
Case	X				
Cathcart	X				
Hinchey	X				
Larson	X				
Harris				X	

AYES = 4

EXCUSED = 1

TOTAL = 5


Larson, Chairman

BILL JACKET

HB0031SS001

Schedule A

1
2
3
4
5

[TO ENGROSSED COPY]

Page 10-line 17

After "account" insert "not to exceed".
LARSON, CHAIRMAN

[TO ENGROSSED COPY]

1
2
3 Page 2-line 11 ✓ After "account." insert "Prior to
4 implementation, the plan shall be annually
5 submitted to the joint judiciary interim
6 committee for review and comment."
7 SCHIFFER, YOUNGBAUER, KINNISON

me

[TO ENGROSSED COPY]

- 1
- 2
- 3 Page 1-line 18 ✓ Delete "Subject".
- 4
- 5 Page 2-line 1 ✓ Delete "to legislative appropriation,"
- 6 insert "No funds shall be expended from the
- 7 account unless and until the legislature
- 8 appropriates the funds.".
- 9
- 10 Page 10-line 17 ✓ Delete "six hundred" insert "two hundred
- 11 fifty thousand dollars (\$250,000.00)".
- 12
- 13 Page 10-line 18 ✓ Delete.
- 14
- 15 Page 10-line 19 ✓ Delete "(\$623,312.00)". KINNISON, SCHIFFER

MLQ

[TO ENGROSSED COPY]

1
2
3 Page 2-line 11 After "account." insert "Until the courts of
4 the judicial branch complete and submit to
5 the judicial planning commission a
6 comprehensive plan for judicial system
7 automation, no money shall be spent from the
8 judicial system automation account for the
9 purchase, maintenance and operation of new
10 computer hardware and software except for
11 the purpose of replacing existing computer
12 hardware or software." BOGGS

MQ

SENATE
WYOMING STATE LEGISLATURE

Message No.214

CONCURRENCE REQUESTED

Mr.Speaker:

March 8, 2000

H.B. No. 0031 Court fees.

The House Bill listed above passed on third reading in an amended form as follows by the vote indicated.

HB0031S3001/AE

HB0031S3001

[TO ENGROSSED COPY]

Page 2-line 11

After "account." insert "Prior to implementation, the plan shall be annually submitted to the joint judiciary interim committee for review and comment."
SCHIFFER, YOUNGBAUER, KINNISON

HB0031S3002/AE

HB0031S3002

[TO ENGROSSED COPY]

Page 1-line 18

Delete "Subject".

Page 2-line 1

Delete "to legislative appropriation," insert "No funds shall be expended from the account unless and until the legislature appropriates the funds.".

Page 10-line 17

Delete "six hundred" insert "two hundred fifty thousand dollars (\$250,000.00)".

Page 10-line 18

Delete.

Page 10-line 19

Delete "(\$623,312.00)". KINNISON, SCHIFFER

HB0031SS001/AE

HB0031SS001

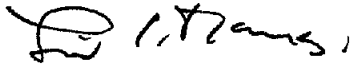
[TO ENGROSSED COPY]

Page 10-line 17

After "account" insert "not to exceed". LARSON, CHAIRMAN

Ayes 27 Noes 3 Excused 0 Absent 0 Conflict 0

Sincerely,

A handwritten signature in dark ink, appearing to read "Liv C. Hanes". The signature is written in a cursive, slightly stylized script.

Liv C. Hanes
Senate Chief Clerk

Bill Jacket Attached

55TH WYOMING STATE LEGISLATURE
BUDGET SESSION 2000

SENATE

SENATE : 471

MARCH 8 2000

SENATE : HB0031

11:58 AM

SENATE :

SECONDED BY:

SENATE :

SENATE :

SENATE :

SENATE : THIRD READING

BARTON.....	A
BOGGS.....	A
CASE.....	A
CATHCART.....	A
COE.....	A
DECARIA.....	A
DEVIN.....	A
ERB.....	A
GEIS.....	A
GOODENOUGH.....	A
HANES.....	A
HARRIS.....	A
HAWKS.....	A
HINCHEY.....	N
JOB.....	A
KINNISON.....	N
KUNZ.....	A
LARSON.....	A
MASSIE.....	A
MEIER.....	N
MILLER.....	A
MOCKLER.....	A
PECK.....	A
ROBERTS.....	A
SCHIFFER.....	A
SCOTT.....	A
SESSIONS.....	A
VASEY.....	A
YOUNGBAUER.....	A
PRES.TWIFORD...	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYE : 27

NO : 3

EXCUSED : 0

ABSENT : 0

CONFLICT : 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

FIFTY-FIFTH WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
BUDGET SESSION
2000

SEQUENCE : 5851

MARCH 8 2000

BILL : HB0031
AMENDMENT:

3:13 PM

MOVED BY : REP NAGEL
TITLE1 : MESSAGE NO. 214
TITLE2 :
ACTION : CONCUR IN AMENDMENTS OF OPPOSITE HOUSE

SECONDED BY:

ANDERSON, J....	E	NELSON.....	A
ANDERSON, R....	A	NICHOLAS.....	A
BADGETT.....	A	OSBORN.....	E
BAKER.....	E	PARADY.....	A
BOSWELL.....	A	PASENEAUX.....	A
BURNS.....	A	PHILLIPS.....	A
CHILDERS.....	A	PHILP.....	A
COHEE.....	A	RARDIN.....	A
DEEGAN.....	A	REESE.....	A
DIERCKS.....	A	ROBINSON.....	A
ESQUIBEL.....	A	ROSE, J.....	A
EYRE.....	A	ROSE, T.....	A
FLEMING.....	A	ROSS.....	A
HAGEMAN.....	A	ROUNDS.....	A
HESENTHALER... A		RYCKMAN.....	A
HINES.....	A	SADLER.....	A
HUCKFELDT.....	A	SAMUELSON.....	A
ILLOWAY.....	A	SHIVLER.....	A
JOHNSON, L....	A	SIMONS.....	A
JOHNSON, W....	A	SIMPSON.....	A
JONES.....	A	STAFFORD.....	A
LANDON.....	A	TANNER.....	A
LAW.....	A	TEMPEST.....	A
LUTHI.....	E	TIPTON.....	A
MCGRAW.....	A	TOMASSI.....	A
MCMURTREY.....	A	WASSERBURGER...	E
MCOMIE.....	A	WILLFORD.....	A
MEULI.....	A	WOSTENBERG.....	A
MORGAN.....	A	ZANETTI.....	A
NAGEL.....	A	BEBOUT, MR. SPK	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 55
NOES : 0
EXCUSED : 5
ABSENT : 0
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT