

**TO:** All Legislators

**FROM:** Representative Dean Kaufert

**DATE:** May 5, 2025

**RE:** Co-sponsorship of LRB 2463 – Municipal Court Fee Modernization Act

**DEADLINE: Thursday, May 15 at 5:00pm**

Municipal Courts in Wisconsin are courts of limited jurisdiction that can only hear cases that involve the violation of municipal rules. There are over 200 municipal courts in Wisconsin. The typical cases heard in these courts involve speeding, parking, other traffic infractions, and ordinance violations. Municipal courts may also hear first-time OWI offenses and juvenile offenses such as truancy, underage drinking, and underage substance offenses.

This bill would increase the maximum fee a municipal court can charge by \$10, from \$38 up to \$48. It does not require a municipality to increase this fee, but gives them the option. This fee has not been adjusted since 2013.

Under current law, a municipal court can collect a fee of between \$15 to \$38 on each case to fund the cost of operating the municipal court. The fee is imposed if there is a default of appearance, there is a plea of guilty or no contest, on issuance of a warrant or summons, or the action is tried as a contested matter.

The municipal court fee is supposed to cover the cost of operating the court, so participating municipalities do not have to subsidize it with tax dollars. The court costs, in this way, are borne by the offenders, not taxpayers. Municipal courts also save taxpayers dollars because they are less expensive to operate than circuit courts, where many of these offenses would otherwise have to be adjudicated without a municipal court.

Many municipal courts are finding it increasingly difficult to fund court operations with the existing fee structure, because of the significant inflationary costs of the past few years. Giving municipalities the option to increase this fee will ensure that their municipal courts are paid for by the offenders, and not general taxpayers through tax levy dollars.

If you would like to co-sponsor this bill, please reply to this e-mail or contact Adam in my office at 608-237-9153 by May 15, 2025 at 5:00pm.

***Analysis by the Legislative Reference Bureau***

*Under current law, with certain exceptions, the municipal judge in a municipal court action must collect a fee of not less than \$15 nor more than \$38 on each separate matter. The fee*

*is to be imposed whether there is a default of appearance, there is a plea of guilty or no contest, on issuance of a warrant or summons, or the action is tried as a contested matter. Current law requires that the municipal treasurer pay monthly \$5 from each fee received to the secretary of administration for deposit in the general fund and retain the balance for the use of the municipality. The bill increases the maximum fee on each separate matter from \$38 to \$48.*