

HOUSE BILL NO. HB0192

Court automation fee-2.

Sponsored by: Representative(s) Nicholas, B., Allen, Blake, Burkhart, Connolly, Dayton, Eklund, Kirkbride, Larsen, Olsen, Pownall and Walters and Senator(s) Anselmi-Dalton, Christensen, Hicks, Nethercott, Perkins and Wasserburger

A BILL

for

1 AN ACT relating to court fees; increasing the court  
2 automation fee; conforming provisions; and providing for an  
3 effective date.

4

5 **Section 1.** W.S. 2-2-401(a)(iii), 5-2-202,  
6 5-3-206(a)(i), (vii) and (x), 5-6-108(a)(i), 5-6-204,  
7 5-6-303, 5-9-135, 6-10-102 and 6-10-103 are amended to  
8 read:

9

10 **2-2-401. Schedule; additional charges.**

11

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

1

2 (iii) In addition to the original filing fee  
3 under paragraph (a)(i) of this subsection, a court  
4 automation fee in the amount of ~~ten dollars (\$10.00)~~ twenty  
5 dollars (\$20.00) which shall be deposited into the judicial  
6 systems automation account established by W.S. 5-2-120;

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8 **5-2-202. Collection of fees.**

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10 The clerk of the supreme court shall collect the following  
11 fees from the plaintiff in error or appellant, or in case  
12 of an original proceeding the plaintiff or relator shall,  
13 at the time of filing the petition in error or record on  
14 appeal or when commencing the cause in this court, the sum  
15 of twenty-five dollars (\$25.00). At the time of filing, the  
16 clerk also shall collect a court automation fee in the  
17 amount of ~~ten dollars (\$10.00)~~ twenty dollars (\$20.00)  
18 which shall be deposited into the judicial systems  
19 automation account established by W.S. 5-2-120, and an  
20 indigent civil legal services fee in the amount of ten  
21 dollars (\$10.00) which shall be deposited into the indigent  
22 civil legal services account established by W.S. 5-2-121.  
23 Other fees or charges to be assessed within the clerk's

1 office are to be determined under rules of the supreme  
2 court.

3

4 **5-3-206. Fees.**

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

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10 (i) For filing instruments or documents in each  
11 civil action and certifying one (1) copy of any order,  
12 decree or judgment at the time of its filing for each  
13 party, an original filing fee of ~~seventy dollars (\$70.00)~~  
14 eighty dollars (\$80.00) which shall be paid by the  
15 plaintiff. This fee shall apply to original actions  
16 commenced and to actions that are reopened after a final  
17 decree previously has been entered. ~~Ten dollars (\$10.00)~~  
18 Twenty dollars (\$20.00) of the filing fee shall be for  
19 court automation, ten dollars (\$10.00) shall be for  
20 indigent civil legal services and both shall be remitted as  
21 provided in W.S. 5-3-205;

22

1           (vii) For all transcripts in cases appealed to  
2 the supreme court, ~~seventy dollars (\$70.00)~~ eighty dollars  
3 (\$80.00), including certificates, seals and transmission.  
4 ~~Ten dollars (\$10.00)~~ Twenty dollars (\$20.00) of the fee  
5 under this paragraph shall be for court automation, ten  
6 dollars (\$10.00) shall be for indigent civil legal services  
7 and both shall be remitted as provided in W.S. 5-3-205;

8  
9           (x) For docketing and in payment of clerk's fee  
10 after docketing incident to any appeal or bill of exception  
11 from a ~~justice's circuit~~ court, ~~forty dollars (\$40.00)~~  
12 eighty dollars (\$80.00), and for docketing any transcript  
13 of judgment from ~~justice's a circuit~~ court upon the  
14 judgment and execution dockets, ~~thirty dollars (\$30.00)~~  
15 eighty dollars (\$80.00), which amount shall be paid by  
16 appellant, or by judgment holder to the clerk at time of  
17 docketing. ~~Ten dollars (\$10.00)~~ Twenty dollars (\$20.00) of  
18 any fee imposed under this paragraph shall be for court  
19 automation, ten dollars (\$10.00) shall be for indigent  
20 civil legal services and both shall be remitted as provided  
21 in W.S. 5-3-205.

22  
23           **5-6-108. Costs.**

1

2 (a) Each city or town in the state of Wyoming may  
3 prescribe by ordinance such costs in all trials before  
4 municipal courts as may be necessary or deemed expedient.  
5 However, the costs shall not exceed ten dollars (\$10.00).  
6 All costs collected shall be turned into the treasury of  
7 the city or town. By ordinance a city or town may  
8 prescribe:

9

10 (i) A court automation fee of ~~ten dollars~~  
11 ~~(\$10.00)~~ twenty dollars (\$20.00) as a cost to be paid by  
12 every person guilty of a violation of a city or town  
13 ordinance;

14

15 **5-6-204. Fines and penalties to be paid to city**  
16 **treasurer; report of cases; failure to comply with section.**

17

18 All fines and penalties collected and arising from a breach  
19 of a city ordinance shall be deposited with the city  
20 treasurer, and the municipal judge shall report at the end  
21 of each calendar month a list of all cases for violations  
22 of city ordinances instituted in his court, and the  
23 disposition thereof, with a statement of the fines,

1 penalties and costs received. At the end of each month the  
2 judge shall deposit with the city treasurer all fines,  
3 penalties and costs received. If the municipal judge fails  
4 to report and deposit all fines, penalties and costs for a  
5 period of twenty-five (25) days, his office shall be  
6 declared vacant. If a city enacts an ordinance prescribing  
7 a court automation fee as provided in W.S. 5-6-108(a)(i),  
8 up to ~~one-half (1/2)~~ five dollars (\$5.00) of the fee may be  
9 retained by the city solely for the purpose of defraying  
10 costs and expenses related to establishing and maintaining  
11 an electronic citation system. The system shall collect and  
12 submit data in a form and manner prescribed by the supreme  
13 court to comply with the requirements of the judicial  
14 systems automation account under W.S. 5-2-120. The  
15 remaining portion of the fee shall be remitted to the  
16 judicial systems automation account established by W.S.  
17 5-2-120. If a city enacts an ordinance prescribing the  
18 indigent civil legal services fee as provided in W.S.  
19 5-6-108(a)(ii), the fee shall be remitted to the indigent  
20 civil legal services account established by W.S. 5-2-121.

21

22 **5-6-303. Disposition of fines and penalties.**

23

1 All fines and penalties collected, arising from a breach of  
2 the ordinances of 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(a)(i), up to  
5 ~~one-half (1/2)~~ five dollars (\$5.00) of the fee may be  
6 retained by the town solely for the purpose of defraying  
7 costs and expenses related to establishing and maintaining  
8 an electronic citation system. The system shall collect and  
9 submit data in a form and manner prescribed by the supreme  
10 court to comply with the requirements of the judicial  
11 systems automation account under W.S. 5-2-120. The  
12 remaining portion of the fee shall be remitted to the  
13 judicial systems automation account established by W.S.  
14 5-2-120. If a town enacts an ordinance prescribing an  
15 indigent civil legal services fee as provided in W.S.  
16 5-6-108(a)(ii), the fee shall be remitted to the indigent  
17 civil legal services account established by W.S. 5-2-121.

18

19 **5-9-135. Filing fee.**

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21 For all civil matters the circuit court shall collect from  
22 the plaintiff an original filing fee of twenty dollars  
23 (\$20.00), a court automation fee of ~~ten dollars (\$10.00)~~

1 twenty dollars (\$20.00), and an indigent civil legal  
2 services fee of ten dollars (\$10.00) excluding small claims  
3 civil actions as provided in W.S. 1-21-201 through 1-21-205  
4 which shall have a filing fee of ten dollars (\$10.00). The  
5 court automation fee shall be deposited into the judicial  
6 systems automation account and the indigent civil legal  
7 services fee shall be deposited into the indigent civil  
8 legal services account as provided by W.S. 5-9-144.

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10 **6-10-102. Imposition of fine for any felony; maximum**  
11 **fine where not established by statute; court automation**  
12 **fee; indigent civil legal services fee.**

13

14 The court may impose a fine as part of the punishment for  
15 any felony. If the statute does not establish a maximum  
16 fine, the fine shall be not more than ten thousand dollars  
17 (\$10,000.00). The court shall impose a court automation fee  
18 of ~~ten dollars (\$10.00)~~ twenty dollars (\$20.00) in every  
19 criminal case wherein the defendant is found guilty, enters  
20 a plea of guilty or no contest or is placed on probation  
21 under W.S. 7-13-301. The fee shall be remitted as provided  
22 by W.S. 5-3-205. In addition to the court automation fee  
23 the court shall impose an indigent civil legal services fee

1 of ten dollars (\$10.00) in every criminal case wherein the  
2 defendant is found guilty, enters a plea of guilty or no  
3 contest or is placed on probation under W.S. 7-13-301 or  
4 35-7-1037. The indigent civil legal services fee shall be  
5 remitted as provided in W.S. 5-3-205(a)(ii).

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7 **6-10-103. Penalties for misdemeanors where not**  
8 **prescribed by statute; court automation fee; indigent civil**  
9 **legal services fee.**

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11 Unless a different penalty is prescribed by law, every  
12 crime declared to be a misdemeanor is punishable by  
13 imprisonment in the county jail for not more than six (6)  
14 months, a fine of not more than seven hundred fifty dollars  
15 (\$750.00), or both. The court shall impose a court  
16 automation fee of ~~ten dollars (\$10.00)~~ twenty dollars  
17 (\$20.00) in every criminal case wherein the defendant is  
18 found guilty, enters a plea of guilty or no contest or is  
19 placed on probation under W.S. 7-13-301. The fee shall be  
20 remitted as provided by W.S. 5-3-205. In addition to the  
21 court automation fee the court shall impose an indigent  
22 civil legal services fee of ten dollars (\$10.00) in every  
23 criminal case wherein the defendant is found guilty, enters

1 a plea of guilty or no contest or is placed on probation  
2 under W.S. 7-13-301. The indigent civil legal services fee  
3 shall be remitted as provided in W.S. 5-3-205(a)(ii).

4

5 **Section 2.** This act is effective July 1, 2017.

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7

(END)