

SENATE FILE NO. SF0085

Court automation fee.

Sponsored by: Senator(s) Perkins and Representative(s)
Nicholas, B.

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

6

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

11

12 **2-2-401. Schedule; additional charges.**

13

14 (a) For probate matters filed or commenced, the clerk
15 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;

7

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.**

5

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).

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

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(END)