

ORIGINAL HOUSE  
BILL NO. HB0193

ENROLLED ACT NO. 40, HOUSE OF REPRESENTATIVES

SIXTY-FIFTH LEGISLATURE OF THE STATE OF WYOMING  
2020 BUDGET SESSION

AN ACT relating to courts; increasing and conforming specified court automation and filing fees; and providing for an effective date.

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

**Section 1.** W.S. 2-2-401(a)(iii), 5-2-202, 5-3-206(a)(i), (vii) and (x), 5-6-108(a)(i), 5-9-135, 5-13-202, 6-10-102 and 6-10-103 are amended to read:

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

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

(iii) In addition to the original filing fee under paragraph (a)(i) of this subsection, a court automation fee in the amount of ~~thirty dollars (\$30.00)~~ forty dollars (\$40.00) which shall be deposited into the judicial systems automation account established by W.S. 5-2-120;

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

The clerk of the supreme court shall collect the following fees from the plaintiff in error or appellant, or in case of an original proceeding the plaintiff or relator shall, at the time of filing the petition in error or record on appeal or when commencing the cause in this court, the sum of ~~twenty-five dollars (\$25.00)~~ seventy-five dollars (\$75.00). At the time of filing, the clerk also shall collect a court automation fee in the amount of ~~twenty-five dollars (\$25.00)~~ fifty-five dollars (\$55.00) which shall be deposited into the judicial systems automation account

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established by W.S. 5-2-120, and an indigent civil legal services fee in the amount of ten dollars (\$10.00) which shall be deposited into the indigent civil legal services account established by W.S. 5-2-121. Other fees or charges to be assessed within the clerk's office are to be determined under rules of the supreme court.

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

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

(i) For filing instruments or documents in each civil action and certifying one (1) copy of any order, decree or judgment at the time of its filing for each party, an original filing fee of ~~one hundred ten dollars (\$110.00)~~ one hundred twenty dollars (\$120.00) which shall be paid by the plaintiff. This fee shall apply to original actions commenced and to actions that are reopened after a final decree previously has been entered. ~~Thirty dollars (\$30.00)~~ Forty dollars (\$40.00) of the filing fee shall be for court automation, ten dollars (\$10.00) shall be for indigent civil legal services and both shall be remitted as provided in W.S. 5-3-205;

(vii) For all transcripts in cases appealed to the supreme court, ~~eighty five dollars (\$85.00)~~ one hundred dollars (\$100.00), including certificates, seals and transmission. ~~Twenty five dollars (\$25.00)~~ Forty dollars (\$40.00) of the fee under this paragraph shall be for court automation, ten dollars (\$10.00) shall be for indigent civil legal services and both shall be remitted as provided in W.S. 5-3-205;

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(x) For docketing and in payment of clerk's fee after docketing incident to any appeal or bill of exception from a circuit court, ~~eighty five dollars (\$85.00)~~ one hundred dollars (\$100.00), and for docketing any transcript of judgment from a circuit court upon the judgment and execution dockets, ~~eighty five dollars (\$85.00)~~ one hundred dollars (\$100.00), which amount shall be paid by appellant, or by judgment holder to the clerk at time of docketing. ~~Twenty five dollars (\$25.00)~~ Forty dollars (\$40.00) of any fee imposed under this paragraph shall be for court automation, ten dollars (\$10.00) shall be for indigent civil legal services and both shall be remitted as provided in W.S. 5-3-205.

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

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

(i) A court automation fee of ~~twenty five dollars (\$25.00)~~ forty dollars (\$40.00) as a cost to be paid by every person guilty of a violation of a city or town ordinance;

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

For all civil matters the circuit court shall collect from the plaintiff an original filing fee of twenty dollars (\$20.00), a court automation fee of ~~twenty five dollars (\$25.00)~~ forty dollars (\$40.00), and an indigent civil

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

**5-13-202. Collection of fees.**

The clerk of the chancery court shall collect all fees and charges as required and set by the supreme court under W.S. 5-13-104(b). At the time of the original filing, the clerk also shall collect a court automation fee in the amount of ~~twenty five dollars (\$25.00)~~ one hundred dollars (\$100.00) which shall be deposited into the judicial systems automation account established by W.S. 5-2-120, and an indigent civil legal services fee in the amount of ten dollars (\$10.00) which shall be deposited into the indigent civil legal services account established by W.S. 5-2-121.

**6-10-102. Imposition of fine for any felony; maximum fine where not established by statute; court automation fee; indigent civil legal services 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 ~~twenty five dollars (\$25.00)~~ forty dollars (\$40.00) 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. In addition to the court

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automation fee the court shall impose an indigent civil legal services 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 or 35-7-1037. The indigent civil legal services fee shall be remitted as provided in W.S. 5-3-205(a)(ii).

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

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 ~~twenty five dollars (\$25.00)~~ forty dollars (\$40.00) 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. In addition to the court automation fee the court shall impose an indigent civil legal services 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 indigent civil legal services fee shall be remitted as provided in W.S. 5-3-205(a)(ii).

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**Section 2.** This act is effective July 1, 2020.

(END)

\_\_\_\_\_  
Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Governor

TIME APPROVED: \_\_\_\_\_

DATE APPROVED: \_\_\_\_\_

I hereby certify that this act originated in the House.

\_\_\_\_\_  
Chief Clerk