

HOUSE BILL NO. HB0198

Court automation fees-assessment on filings.

Sponsored by: Representative(s) Nicholas

A BILL

for

1 AN ACT relating to courts; imposing a court automation per-
2 filing fee as specified; specifying distribution of per-
3 filing fees; making conforming amendments; authorizing
4 rulemaking; specifying applicability; and providing for an
5 effective date.

6

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

8

9 **Section 1.** W.S. 6-10-111 is created to read:

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11 **6-10-111. Court automation filing fees.**

12

13 The court shall impose a court automation filing fee of
14 twelve dollars (\$12.00) on a person for each filing in a
15 criminal case beginning with the person's seventh filing in
16 the criminal case. The fee assessed under this section

1 shall be in addition to any fees imposed under W.S.
2 6-10-102 and 6-10-103.

3

4 **Section 2.** W.S. 2-2-401 by creating a new subsection
5 (c) and by renumbering (c) as (d), 5-2-202, 5-3-205(a)(i),
6 5-3-206(a) by creating a new paragraph (xi), 5-9-135,
7 5-9-144 and 5-13-202 are amended to read:

8

9 **2-2-401. Schedule; additional charges.**

10

11 (c) In addition to the fees collected under
12 subsection (a) of this section, the clerk of district court
13 shall collect a court automation filing fee of twelve
14 dollars (\$12.00) from a person for each filing in the
15 probate matter beginning with the person's seventh filing
16 in the matter. Fees collected under this subsection shall
17 be deposited into the judicial systems automation account
18 established by W.S. 5-2-120.

19

20 ~~(e)~~(d) Additional fees or charges may be assessed for
21 particular matters as ordered by the court.

22

23 **5-2-202. Collection of fees.**

1

2 The clerk of the supreme court shall collect the following
3 fees from the plaintiff in error or appellant, or in case
4 of an original proceeding the plaintiff or relator shall,
5 at the time of filing the petition in error or record on
6 appeal or when commencing the cause in this court, the sum
7 of seventy-five dollars (\$75.00). At the time of filing,
8 the clerk also shall collect a court automation fee in the
9 amount of fifty-five dollars (\$55.00), which shall be
10 deposited into the judicial systems automation account
11 established by W.S. 5-2-120, and an indigent civil legal
12 services fee in the amount of ten dollars (\$10.00), which
13 shall be deposited into the indigent civil legal services
14 account established by W.S. 5-2-121. In addition to the
15 fees charged under this section, the clerk shall also
16 collect a court automation filing fee of twelve dollars
17 (\$12.00) from a person for each filing in the appeal
18 beginning with the person's seventh filing for the appeal,
19 and this fee shall be deposited into the judicial systems
20 automation account established by W.S. 5-2-120. Other fees
21 or charges to be assessed within the clerk's office are to
22 be determined under rules of the supreme court.

23

1 **5-3-205. Collection of fees in advance; payment to**
2 **treasurer; liability for collection.**

3
4 (a) All fees prescribed by statute for civil
5 business, shall be collected in advance by the clerk and
6 except as otherwise provided in this section shall be paid
7 to the treasurer of the county at the end of each month.
8 The clerk shall be liable under his bond for the collection
9 and payment of such fees. The clerk shall remit:

10
11 (i) The court automation fee prescribed by W.S.
12 2-2-401(a)(iii) and (c), 5-3-206(a)(i), (vii), ~~and~~-(x) and
13 (xi), 6-10-102 and 6-10-103 to the judicial systems
14 automation account established by W.S. 5-2-120 at the end
15 of each month;

16
17 **5-3-206. Fees.**

18
19 (a) For all civil matters filed or commenced, the
20 clerk of each district court shall charge the following
21 fees:

22

1 (xi) For each filing filed by a person in a
2 civil matter beginning with the person's seventh filing in
3 the civil matter, a court automation filing fee of twelve
4 dollars (\$12.00), which shall be remitted as provided by
5 W.S. 5-3-205.

6
7 **5-9-135. Filing fees.**

8
9 (a) For all civil matters the circuit court shall
10 collect from the plaintiff an original filing fee of twenty
11 dollars (\$20.00), a court automation fee of forty dollars
12 (\$40.00), and an indigent civil legal services fee of ten
13 dollars (\$10.00) excluding small claims civil actions as
14 provided in W.S. 1-21-201 through 1-21-205 which shall have
15 a filing fee of ten dollars (\$10.00). The court automation
16 fee shall be deposited into the judicial systems automation
17 account and the indigent civil legal services fee shall be
18 deposited into the indigent civil legal services account as
19 provided by W.S. 5-9-144.

20
21 (b) In addition to the fees charged under subsection
22 (a) of this section, the circuit court shall, for each
23 filing in a civil matter by a person beginning with the

1 person's seventh filing in the civil matter, collect a
2 court automation filing fee of twelve dollars (\$12.00),
3 which shall be deposited into the judicial systems
4 automation account as provided by W.S. 5-9-144.

5

6 **5-9-144. Receipts for money paid into court.**

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8 When any money is paid into a circuit court, a receipt for
9 said amount shall be issued promptly upon a form prescribed
10 by the Wyoming supreme court. The receipts shall be
11 prenumbered in numerical sequence. The original copy shall
12 be delivered to a payor making payment by cash or in
13 person, otherwise the original shall be attached to the
14 court file. A copy shall be filed in the office of the
15 issuing judge. The receipts shall be prenumbered by the
16 printer, and the printer shall give to the supreme court a
17 receipt showing the numbers so printed. Except as provided
18 in W.S. 5-9-106, the circuit court shall pay all fines,
19 forfeitures and other penalties to the county treasurer and
20 all fees, costs and other receipts to the state treasurer.
21 The court automation ~~fee~~-fees prescribed by W.S. 5-9-135 or
22 established by court rule shall be deposited by the state
23 treasurer into the judicial systems automation account

1 established by W.S. 5-2-120. The indigent civil legal
2 services fee prescribed by W.S. 5-9-135 shall be deposited
3 by the state treasurer into the indigent civil legal
4 services account established by W.S. 5-2-121. The police
5 officer continuing education and training fee prescribed by
6 W.S. 31-5-1201(h) shall be deposited by the state treasurer
7 into the account in the enterprise fund under W.S.
8 9-1-633(n).

9

10 **5-13-202. Collection of fees.**

11

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

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