

**APPENDIX B**  
**Court Fees, Assessments and Surcharges**

**Office of Court Operations, July 30, 2002**

Name	Statute	Percentage or Amount	Description
Clerk Fee, Civil forfeiture (CFP)	814.63(1)(b)	\$25	-applies to most forfeitures -does not apply to smoking, 101.123(2)(a), (am)1, (ar), (bm), (br) or (5); or safety belt use, 347.48(2m) -paid when judgment is entered Distribution of funds: \$5 to Consolidated Court Automation Program (CCAP); \$7.50 to county; \$12.50 to state general fund.
Clerk Fee, Criminal (CFP)	814.60	\$20	-applies to all criminal actions -paid when judgment is entered Distribution of funds: Split 50-50 between state general fund and county.
Consumer Protection Assessment (CPA)	100.261	25% of fine or forfeiture	-applies to violations of ch. 98 (weights and measures), ch. 100 (marketing and trade practices), and related ordinances and administrative rules -if the court imposes a fine or forfeiture, the court shall also impose this assessment Distribution of funds: 100% to state Dept. of Justice to fund consumer protection information and education.
Court Support Services Fee (CSSF)	814.634(1)(c)	\$39	-\$39 fee applies to small claims, garnishments, wage claims, and other actions where amount claimed is \$5,000 or less.
	814.634(1)(a)	\$52	-\$52 fee applies to civil actions where no money judgment is sought, such as name change, declaratory judgment, habeas corpus, minor settlements
	814.63(1)	\$52	-\$52 fee applies to state and county forfeitures, municipal ordinance violations, appeals from municipal court -does not apply to safety belt violations, 347.45(2m) -for forfeitures, fee is collected when judgment is entered against the defendant
	814.634(1)(b)	\$130	-\$130 fee applies to civil actions where amount claimed exceeds \$5,000 -includes personal injury and property damage claims, foreclosure, even if amount claimed is not specified, 808.02(1)(m) -includes garnishments and wage claims over \$5,000 Distribution of funds: 100% to state treasurer.
Crime Lab & Drug Law Enforcement Assessment (CLDA)	165.755	\$5 per offense	-if the court imposes a sentence, places a person on probation, or imposes a forfeiture, a separate crime laboratories and drug law enforcement assessment shall be imposed for each separate offense or count -applies to state law and municipal or county ordinances -does not apply to smoking under 101.123(2)(a), (am)1, or (bm) or (5)(b) or for a violation of a 101.123(2)(a), (am)1, (bm), (br) or (5); a non-moving traffic violation; or a safety belt use violation under 347.48(2m) Distribution of funds: 100% to state Dept. of Justice for drug law enforcement and crime labs and related services.

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<p>Crime Prevention Program (XCS4)</p>	<p>973.09(1x) 973.06(1)(f)</p>	<p>varies</p>	<p>-for 973.09(1x), if the court places a person on probation, the court may require the defendant to make a contribution to a crime prevention organization, if the court determines that defendant has the financial ability to make the contribution -for 973.06(1)(f), an amount determined by the court to make a reasonable contribution to a crime prevention organization. ..... Distribution of funds: Selected crime prevention organization.</p>
<p>Domestic Abuse Assessment (DMAAP)</p>	<p>973.055</p>	<p>\$50 per offense</p>	<p>-when the court imposes a sentence on an adult person or places that person on probation, regardless of whether any fine is imposed, the court shall impose this assessment for each offense if: (1) the court convicts the person of a violation of various crimes listed in 973.055; (2) the court finds that the conduct involved an act by the defendant against a spouse or former spouse, against an adult with whom the defendant resides or formerly resided, or against an adult with whom the defendant has created a child; or (3) the court convicts a person for violation of a temporary restraining order under 813.12(8)(a) or a conforming municipal ordinance. ..... Distribution of funds: 100% to state Dept. of Health and Family Services to fund grants to domestic abuse service organizations.</p>
<p>DNA Analysis Surcharge (DNAAS)</p>	<p>973.046(1g)</p>	<p>\$250</p>	<p>-if the court imposes a sentence or places a person on probation for sexual assault crimes under 940.225, 948.02(1), 948.02(2), or 948.025, the court shall impose this surcharge. -the court <u>may</u> assess the DNA surcharge if the court imposes a sentence or places a person on probation for any felony judgment in addition to the above offenses. -note that requiring a sample is different from imposing a surcharge: 973.047(1) provides that the court <u>shall</u> order any person convicted of a felony to provide a DNA sample to the State Crime Laboratory -so for most offenses, the sample is mandatory, the surcharge is discretionary ..... Distribution of funds: 100% to state Dept. of Justice for use in supporting a DNA analysis data bank, training prosecutors in the use of DNA analysis, and related costs.</p>
<p>Driver Improvement Program Surcharge (DIS)</p>	<p>346.655</p>	<p>\$355</p>	<p>-if the court imposes a fine or forfeiture for a violation of operating under influence of intoxicant or other drug under 346.63(1) or (5) or a local ordinance in conformity; or injury by intoxicated use of a vehicle under 346.63(2) or (6) or 940.25; or homicide by intoxicated use of a vehicle under 940.09, it shall impose a driver improvement surcharge. ..... Distribution of funds: 61.5% to county and 38.5% to state treasurer. County funds used for alcohol assessment services.</p>
<p>Drug Abuse Program Improvement Surcharge (DRG)</p>	<p>961.41(5)(a)</p>	<p>50% of fine and penalty assessment</p>	<p>-when a fine is imposed for most drug offenses, listed in 961.41, the court shall also impose a drug abuse program improvement surcharge on the amount of the fine and penalty assessment imposed. ..... Distribution of funds: 100% to state Dept. of Health and Family Services to fund programs providing prevention, intervention and treatment for alcohol and drug abuse problems.</p>

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Environmental Assessment (ENV)	299.93	10% of fine or forfeiture	-if the court imposes a fine or forfeiture for a violation of ch. 280 pure drinking water, ch. 281 water & sewage, ch. 283 pollution discharge elimination, ch. 285 air pollution, ch. 289 solid waste facilities, ch. 291 hazardous waste management, ch. 292 remedial action, ch. 293 metallic mining, ch. 295 nonmetallic mines reclamation: oil & gas, or ch. 299 general environmental, the court shall impose this assessment Distribution of funds: 100% to the state Environmental Fund.
Fishing Shelter Removal Assessment (FSH)	29.985	varies	-defendant to pay the cost of seizure, destruction or sale of the fishing shelter -if defendant does not reimburse these costs within 20 days, court may also impose forfeiture up to \$100 under 29.404(3). Distribution of funds: 100% to state Dept. of Natural Resources Conservation Fund Fish and Wildlife Account.
Jail Assessment (JA)	302.46(1)	1% of fine or forfeiture or \$10, whichever is greater	-if the court imposes a fine or forfeiture for a violation of state law or municipal or county ordinance it shall impose a jail assessment -does not apply to smoking under 101.123(2)(a), (am)1, (bm), (br), or (5); a non-moving traffic violation; or a safety belt use violation under s. 347.48(2m) Distribution of funds: 100% retained by counties to construct, remodel, repair or improve county jails.
Juvenile Delinquency Victim Witness Surcharge	938.34(8d)	\$20	-for violations for which a juvenile is adjudicated delinquent, the court shall, in addition to any disposition imposed under 938.34, impose a delinquency victim & witness assistance surcharge of \$20 Distribution of funds: 100% to state Dept. of Justice to fund victim and witness services.
Justice Information Fee (was Court Automation Fee) (JIF)	814.635(1)	\$9	-the clerk of circuit court shall collect \$9 from any person paying a fee for civil actions under 814.61(1)(a) or (3); administrative and municipal appeals under 814.61(8m); garnishment, wage earner, and small claims actions under 814.62; or forfeiture actions under 814.63(1). -does not apply to a safety belt violation under 347.48(2m) Distribution of funds: 100% to state. 6/9 of monies to Wisc. Supreme Court for court automation; 2/9 to state Dept. of Administration for justice information systems; and 1/9 to state general fund.
Municipal Fee	814.63(2)	\$5	-upon disposition of a forfeiture action in circuit court for violation of a county, town, city, village, town sanitary district or public inland lake protection and rehabilitation district ordinance, the above government unit shall pay a non-refundable \$5 fee -does not apply to a safety belt violation under 347.48(2m) Distribution of funds: 100% to clerk of circuit courts.
Natural Resource Assessment (NRAP)	29.987 169.46(1)	75% of fine or forfeiture	-if the court imposes a fine or forfeiture for violation of ch. 29 (wild animals and plants) or ch. 169 (captive wildlife), or related order the court shall impose this assessment Distribution of funds: 100% to state Dept. of Natural Resources Conservation Fund.

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Natural Resource Restitution (NRRP)	29.989 169.46(2)	varies	-equal to the amount of the fee of the license or stamp that should have been paid -if the court imposes a natural resource assessment for violation of ch. 29, ch. 169, or a related order, the court shall impose this assessment also -do not treat this as restitution for purposes of the restitution surcharges Distribution of funds: 100% to state Dept. of Natural Resources Conservation Fund.
Penalty Assessment (PA)	757.05	24% of fine or forfeiture	-if the court imposes a fine or forfeiture for a violation of state law or municipal or county ordinances, it shall impose a penalty assessment -does not apply to smoking under ch. 101.123(2)(a), (am)1, or (bm), (br), or (5); a non-moving traffic violation; or a safety belt use violation under ch. 347.48(2m) Distribution of funds: 100% to state Dept. of Justice for law enforcement training and related services.
Railroad Crossing Improvement Assessment	346.495	50% of forfeiture	-if the court imposes a forfeiture under 346.49(1g), (2m)(a), (am), or (b), for a violation of 346.44, 346.45, or 346.46(3) the court shall impose a railroad crossing improvement assessment Distribution of funds: 100% to state Dept. of Transportation to fund railroad crossing protection installation and maintenance.
Restitution Administrative Cost (RAC)	973.06(1)(g)	10% of any restitution ordered	-if the court orders restitution under 973.20(11)(a), the court shall impose as costs an amount equal to 10% of the restitution ordered Distribution of funds: 100% to county treasurer.
Restitution Administrative Surcharge (RSCT)	973.20(11)(a)	5% of total fines, costs, etc.	-if the defendant is not placed on probation or sentenced to prison, the court may order that restitution be paid to the clerk of circuit court for transfer to the appropriate person -if the defendant is placed on probation, the defendant shall deliver the restitution to Dept. of Corrections for transfer to the appropriate person -the court shall require the defendant to pay a surcharge equal to 5% of the total amount of restitution, costs, attorney fees and any fines and related payments ordered to either Dept. of Corrections or the clerk of circuit court -the complete name and address of the party to be paid should be provided Distribution of funds: 100% to Dept. of Corrections or clerk of circuit courts for administrative expenses.
Sheriff's Fee (WF)	973.06(1)(a) & 814.70	varies	-the necessary disbursements and fees of officers allowed by law and incurred in connection with the arrest, preliminary examination and trial of the defendant -use amount on the bench warrant or order to produce; if none don't assess Distribution of funds: 100% to county sheriff's dept.
Snowmobile Registration Restitution Payments (SNOW)	350.115	varies	-amount equal to the amount of the required fee that should have been paid -do not treat this as restitution for purposes of the restitution surcharges Distribution of funds: 100% to state Dept. of Natural Resources Conservation Fund.

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Special Prosecution Clerks Fee (MSPF)	814.635(1m)	\$2	-Milwaukee only -applies whenever the Justice Information Fee is assessed Distribution of funds: 100% to state treasurer to reimburse Milwaukee County district attorney expenses under 20.475(1)(i)
Truck Driver Education Assessment	349.04(1)	\$8	-if the court imposes a fine or forfeiture for a violation of ch. 346-348 or a rule issued under ch. 346-48 and the violation involved a commercial motor vehicle, the court shall impose a truck driver education assessment of \$8. Not effective until Director of State Courts receives notification from Director of Technical College System. Distribution of funds: 100% to fund truck driver training grants.
Uninsured Employers Penalties (UNEMP)	102.85(4)(a)	75% of fine or forfeiture	-when an employer fails to comply with ch. 102.16(3) or 102.28(2) (worker's compensation) and if the court imposes a fine or forfeiture, it shall impose this penalty Disribution of funds: 100% to the state Uninsured Employers Fund.
Victim/Witness Surcharge (VWA) (VWAB)	973.045(1)	Misd. \$50 Felony \$70 per offense	-if the court imposes a sentence or places a person on probation, the court shall impose the crime victim and witness assistance surcharge for each offense or count -surcharge applies even if no fine or forfeiture is imposed Distribution of funds: 100% to state Dept. of Justice to fund payments to victims, victim and witness services, and grants for sexual assault victim services.
Wild Animal Protection Assessment (WLDAN)	29.983(1)(a)	varies by animal	-if the court imposes a fine or forfeiture under this chapter or order for unlawful killing, wounding, catching, taking, trapping or possession of a wild animal specified in par(b), the court <u>may</u> impose this assessment -assessment is imposed per animal see 29.983(b) for detail Distribution of funds: 100% to state Dept. of Natural Resources Conservation Fund.
WIC (Women, Infants & Children) Enforcement Assessment	253.06(4)(c)	50% of fine or forfeiture	-if a court imposes a fine, forfeiture or recoupment for a violation of this subsection, the court shall impose this assessment Distribution of funds: 100% to state Dept. of Health and Family Services for the administration of the supplemental food program for women, infants and children.
Weapons Assessment (WA)	167.31(5)(a)	75% of fine or forfeiture	-if the court imposes a fine or forfeiture for a violation of this section, the court shall impose a weapons assessment Distribution of funds: 100% to state Dept. of Natural Resources Conservation Fund for law enforcement operations.