



Wisconsin Clerks of Circuit Court Association

Serving Wisconsin Courts

June 16, 2011

President

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Governor Scott Walker
115 East Capitol
Madison, WI 53702

Vice President

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Dear Governor Walker:

Secretary

SUSAN KRUEGER
571 County Road A
GREEN LAKE WI 54941
Tele: 920-294-4145
FAX:

As President of the Wisconsin Clerks of Circuit Court, I write concerning two items in the state budget bill. The two proposals are the increase in the small claims jurisdictional limits from \$5,000 to \$10,000 and the statutory addition permitting the return of bail bondsmen in Wisconsin. Both issues are too important and complex to be included in the budget without a significant vetting in the legislature. The Clerks urge you to veto both of these proposals for the following reasons.

Treasurer

CINDY JOOSTEN
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Representative Ballweg has long been a proponent of the increase in the jurisdictional limits in small claims and has worked hard to craft legislation which would effectuate an increase without confusing jurisdictional provisions which will frustrate and confuse litigants. She has sponsored Assembly Bill 106. This bill doesn't create different classes of cases under \$10,000, which the current budget language does. AB 106 also addresses county concerns with respect to funding increased workloads to the counties.

Executive Committee

Pam Radtke, Chair
John Barrett, Dist. 1
Becky Matoska-Mentink D2
Theresa Russell, Dist. 3
Mary Karst, Dist. 4
Carlo Esqueda, Dist. 5
Bernadette Flatoff, Dist. 6
Roselle Urness, Dist. 7
Nancy Robillard, Dist. 8
Penny Carter, Dist. 9
Renaë Baxter, Dist. 10

We believe this legislation has a good chance of passage and would clearly prefer this bill over the budget bill increase.

Legislative Committee

John Barrett D1, Co-Chair
Sheila Reiff, D2, Co-Chair
Carla Robinson, Dist. 3
Diane Fremgen, Dist. 4
Carlo Esqueda, Dist. 5
Susan Raimer, Dist. 6
Peg Feuerhelm, Dist. 7
Lonnie Wolf, Dist. 8
Sue Krueger, Dist. 9
Lori Meyer, Dist. 10

The bond issue is extremely nuanced and complicated. The complexities are well laid out in a letter to you from Chief Judge John Storck of the Sixth Judicial District dated June 13, 2011. We agree with the conclusions and objections of the Wisconsin Chief Judges, particularly as they relate to the adverse impact of this bill on crime victims and collection problems with these sureties. Victims of crime should not be further victimized by the profit motives of these companies.

We appreciate your consideration of our request.

Sincerely,

Lonnie Wolf
President



CLERK OF CIRCUIT COURT
ADMINISTRATIVE SERVICES DIVISION

Milwaukee County

JOHN BARRETT • Clerk of Circuit Court/Register in Probate

June 17, 2011

Governor Scott Walker
115 East Capitol
Madison, WI 53702

Dear Governor Walker:

I write to urge you to veto two items in the budget bill awaiting your signature. The increase in the small claims jurisdictional limit from \$5,000 to \$10,000 and the budget provision allowing the return of bail bondsmen to Wisconsin should be vetoed for a variety of reasons.

In Milwaukee County, our small claims court handles almost 45,000 cases. This court is primarily staffed by county employees such as court commissioners, deputy court clerks and local sheriff's deputies. The increase in this jurisdictional limit is an unfunded state mandate which overburdens already overcrowded courts. Additional cases will delay proceedings in an area that is supposed to be streamlined and easy to use. It will create exceptions which will cause litigants additional unexpected court costs if cases are dismissed for these exceptions. As I recall when you were County Executive for Milwaukee, you had similar reservations with these increases. Assembly Bill 106 addresses some of the the funding issues and is a better bill for increasing small claims limits.

The return of bail bondsmen in its current form is a bad idea. Currently bail can be used to pay restitution to victims and bail forfeitures are used to assist local funding of courts which assists taxpayers. The provision in this bill will shift these resources from victims and taxpayers to these bail bondsmen. Equally as important, the bail is used to insure appearance in court. This bill creates a disincentive for criminals to appear in court as bail paid to these bondsmen by themselves, their relatives or friends will not likely be returned to them upon appearance in court. These are just some of the problems with this bill on an initial glance. This bill should be vetoed further before it should become law.

Thank you for your consideration.

A handwritten signature in cursive script that reads "John Barrett".

John Barrett
Clerk of Circuit Court/
Register in Probate

smg