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From the Chief Judge, First Judicial District, Combined Court Related Operations, requesting authorization to establish a fee schedule for legal custody and physical placement studies ordered pursuant to Section 767.405(14) of the Wisconsin State Statutes, by recommending adoption of the following:

A RESOLUTION

WHEREAS, pursuant to Section 767.405(14), Wisconsin State Statutes (State Statutes), this resolution seeks to establish a fee schedule for custody and physical placement studies ordered by family court; and

WHEREAS, Section 767.405(14)(a) of the State Statutes provides that a county shall provide legal custody and physical placement study services; and

WHEREAS, due to budget constraints, Milwaukee County’s (the County) family court has not been able to provide this State-mandated service to the public; and

WHEREAS, Section 814.615(1)(a)(3) of the State Statutes provides that, absent a fee schedule established by the county, the fee for a custody and physical placement study shall be \$300; and

WHEREAS, Section 814.615(2) of the State Statutes allows the county to establish a fee schedule to recover the reasonable costs of providing family court services under Section 767.405 of the State Statutes; and

WHEREAS, based upon information supplied by the Court’s Committee on Custody Studies, the cost to the county often exceeds \$2,000 per custody and physical placement study; and

WHEREAS, on November 11, 2016, the Milwaukee County Board of Supervisors adopted File No. 16-589, supporting the Chief Judge, First Judicial District, Combined Court Related Operations, in the implementation of legal custody and physical placement studies, in accordance with Section 767.405(14)(a) of the State Statutes; and

WHEREAS, the County’s Family Court must be able to recover reasonable costs of custody and physical placement studies from those litigants with the ability to pay some or all of such costs; and

41 WHEREAS, the Committee on Judiciary, Safety, and General Services, at its
42 meeting of May 8, 2017, recommended adoption of File No. 17-384 (vote 4-0);
43 now, therefore,
44

45 BE IT RESOLVED, the Milwaukee County Board of Supervisors establishes that
46 the fee schedule below shall be set for custody and placement studies ordered under
47 Section 767.405(14) of the Wisconsin State Statutes (State Statutes), unless otherwise
48 determined by the court:
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50 For a custody and physical placement study required by Section 767.405(14) of
51 the State Statutes each parent shall pay a fee which shall be determined as
52 follows:
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- 54 (a) For a parent with an annual gross income of \$25,000 or less, the fee to that
55 parent shall range from \$0 to \$150; and
- 56 (b) For a parent with an annual gross income of at least \$25,001, but less than
57 \$37,500, the fee to that parent shall be \$250; and
- 58 (c) For a parent with an annual gross income of at least \$37,500, but less than
59 \$50,000, the fee to that parent shall be \$500; and
- 60 (d) For a parent with an annual gross income of at least \$50,000, but less than
61 \$62,500, the fee to that parent shall be \$750; and
- 62 (e) For a parent with an annual gross income \$62,500 or more, the fee to that
63 parent shall be \$1,000.
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