Wisconsin Department of Administration Division of Executive Budget and Finance DOA-2048 (R07/2000)

Fiscal Estimate - 2001 Session

☑ Original ☐ Updated	Corrected Supp	olemental
LRB Number 01-2170/4	Introduction Number AB-44	0
Subject Jury trials in municipal court for drunk driving		
Appropriations Reve	ease Existing absorb within agency's	
No Local Government Costs Indeterminate 1. Increase Costs Permissive Mandatory Permissive Andatory 2. Decrease Costs 4. Decre	5.Types of Local Governments Affected Units Affected Towns Counties Othe School Districts Districts	ge I Cities rs S
Fund Sources Affected GPR FED PRO PRS	Affected Ch. 20 Appropriat	ions
Agency/Prepared By	Authorized Signature	Date
CTS/ Sheryl Gervasi (608) 266-6984	Sheryl Gervasi (608) 266-6984	8/28/01

Fiscal Estimate Narratives CTS 8/29/01

LRB Number	01-2170/4	Introduction Number	AB-440	Estimate Type	Original	
Subject						
Jury trials in municipal court for drunk driving						

Assumptions Used in Arriving at Fiscal Estimate

Present law allows a first offense OWI ordinance violator going to municipal court to request a jury trial in the circuit court. The municipal clerk is then required to transfer the case immediately to circuit court. This bill requires the violator to first have the case heard in municipal court by removing the violator's right to request that the case be transferred to circuit court for a jury trial. The violator would still have the right to appeal the municipal court decision to the circuit court.

In 2000, there were an estimated 270 such cases transferred to circuit court. Under this bill municipal courts would be required to first handle the cases. While this will increase their workload it is expected that individual municipal courts would be able to absorb it with existing staff. The impact upon the circuit courts is impossible to predict because it is unknown how many of the 270 cases will be heard in municipal court and still choose to appeal to the circuit court. The impact is expected to be minimal.

Long-Range Fiscal Implications