

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