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

## Fiscal Estimate - 2001 Session

☑ Original ☐ Updated	Corrected Su	upplemental			
LRB Number <b>01-2451/1</b>	Introduction Number SB-2	57			
Subject Payment from ward's estate of reasonable attorned attorney	ey's fees; judge to consider properly-executed	d power of			
Appropriations Rever Decrease Existing Decre Appropriations Rever Create New Appropriations	ease Existing absorb within agency				
Local:  No Local Government Costs  Indeterminate  1. Increase Costs Permissive Mandatory  2. Decrease Costs Permissive Mandatory Permissive Mandatory Permissive Mandatory Permissive Mandatory Permissive Mandatory Permissive Mandatory Pistricts  5. Types of Local Government Units Affected Towns Village Counties Others School Districts Districts					
Fund Sources Affected Affected Ch. 20 Appropriations  GPR FED PRO PRS SEG SEGS					
Agency/Prepared By	Authorized Signature	Date			
CTS/ Sheryl Gervasi (608) 266-6984	Sheryl Gervasi (608) 266-6984	2/11/02			

100

## Fiscal Estimate Narratives CTS 2/11/02

LRB Number	01-2451/1	Introduction Number	SB-257	Estimate Type	Original	
Subject			<u>,                                    </u>		· · · · · · · · · · · · · · · · · · ·	
Payment from ward's estate of reasonable attorney's fees; judge to consider properly-executed power of attorney						

## Assumptions Used in Arriving at Fiscal Estimate

Communication of the

This bill eliminates the provision prohibiting a court from awarding, from a ward's estate, attorney fees and costs to the person who successfully petitioned for a finding of the ward's incompetence, if the ward had executed a financial power of attorney or power of attorney for health care or had engaged in other advanced planning to avoid guardianship. Instead, the bill makes this action one that must be considered by the court when making its decision about awarding costs.

This bill is not expected to have any significant impact upon circuit court operations.

**Long-Range Fiscal Implications**