



1995 SENATE BILL 344

September 21, 1995 - Introduced by LAW REVISION COMMITTEE. Referred to
Committee on State Government Operations and Corrections.

1 **AN ACT relating to:** amending and renumbering various provisions of the
2 statutes for the purpose of clarifying language, correcting and clarifying
3 references, and eliminating obsolete terminology (Revisor's Correction Bill).

Analysis by the Legislative Reference Bureau

This bill proposes language to amend the statutes pertaining to the uniform use of the terms "docket" and "court record", and to the use of the term "judgment and lien" docket when referring to the integrated (now automated) master judgment and lien record. The changes are intended to reflect current definitions and usage of court record-keeping standard terminology as originally developed in a statewide project by the director of state courts office in conjunction with the National Center for State Courts. Additional revisions are made for the purpose of replacing obsolete terminology, conforming the affected provisions to current drafting style and improving readability.

This bill has been prepared by the revisor of statutes at the request of the supreme court and the director of state courts.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 17.14 (4) of the statutes is amended to read:
5 17.14 (4) COSTS. If the court, after a hearing on the merits, dismisses the
6 petition and further finds the complaint was wilful and malicious and without
7 probable cause, the court shall order judgment in favor of the officer and against the

1 petitioner for \$10 attorney fees and for the costs and fees of witnesses and officers
2 incurred on behalf of the officer. The judgment shall be signed by the clerk of the
3 circuit court and entered ~~and docketed in the clerk's office as the judgment of the~~
4 ~~circuit court~~ in the judgment and lien docket. An execution may be issued thereon
5 against the property of the petitioner in the same mode as upon a judgment entered
6 in the circuit court in civil actions founded in tort. Upon the return of the execution
7 unsatisfied in whole or in part, an execution against the person of the petitioner may
8 be issued in the manner and with the force and effect of an execution against the
9 person as provided in ss. 815.01 to 815.10. In all other cases the judge may order that
10 the expenses incurred in procuring witnesses and other needed actual expenses, be
11 paid out of the treasury of the county in which the officer resides upon certificates
12 of the clerk of the circuit court.

13 **SECTION 2.** 19.05 of the statutes is renumbered 19.05 (1) (intro.) and amended
14 to read:

15 19.05 (1) (intro.) Whenever a judgment shall be is rendered against any officer
16 and the officer's sureties on the officer's official bond in any court other than the
17 circuit court of the county in which ~~such~~ the officer's official bond is filed, no execution
18 for the collection ~~thereof~~ of the judgment shall issue from ~~such~~ the other court unless
19 the plaintiff ~~therein~~, the plaintiff's agent or the plaintiff's attorney shall make and
20 file with ~~such~~ the court an affidavit showing ~~that no~~ each of the following:

21 (a) That no other judgment has been rendered in any court in an action upon
22 ~~such~~ the officer's bond against the sureties ~~therein which~~ of the bond that remains
23 in whole or in part unpaid ~~and that no~~.

1 **(b)** ~~That no other action upon such~~ the officer's bond against said the sureties
2 was pending and undetermined in any other court at the time of the entry of ~~such~~ the
3 judgment; ~~but every such.~~

4 **(2)** A transcript of a judgment described in sub. (1) may be ~~docketed in other~~
5 ~~courts and entered in the judgment and lien docket in~~ other counties, shall constitute
6 a lien, and may be enforced, in all respects the same as if it were an ordinary
7 judgment, for the recovery of money, except as provided otherwise in ~~this section~~ sub.
8 (1).

9 **SECTION 3.** 30.75 (2) of the statutes is amended to read:

10 30.75 **(2)** SERVICE BY REGISTERED MAIL. If service of process is to be by registered
11 mail, the original and necessary copies of the summons shall be left with the clerk
12 of ~~the~~ circuit court in which the action is to be brought, together with a sum of 75 cents
13 to cover the cost of mailing. The clerk of circuit court shall mail a copy to the
14 defendant at the defendant's last address as known to the plaintiff or clerk of circuit
15 court, with the return receipt signed by the addressee requested. Service of such ~~the~~
16 summons is ~~deemed~~ considered completed when it is mailed. The clerk of circuit
17 court shall enter upon the ~~docket~~ court record the date when the summons is mailed
18 and the name of the person to whom mailed.

19 **SECTION 4.** 46.10 (5) of the statutes is amended to read:

20 46.10 **(5)** If any person named in an order to compel payment issued under sub.
21 (4) (a) fails to pay the department any amount due under the terms of the order and
22 no contested case to review the order is pending and the time for filing for a contested
23 case review has expired, the department may present a certified copy of the order to
24 the circuit court for any county. The circuit court shall, without notice, render
25 judgment in accordance with the order. A judgment rendered under this subsection

1 shall have the same effect and shall be entered ~~and docketed~~ in the judgment and
2 lien docket and may be enforced in the same manner as if the judgment had been
3 rendered in an action tried and determined by the circuit court.

4 **SECTION 5.** 49.90 (12) of the statutes is amended to read:

5 49.90 (12) The parent of a dependent person who maintains a child of the
6 dependent person under sub. (1) (a) 2. may, after the dependent person attains the
7 age of 18, apply to the circuit court for the county in which the child resides for an
8 order to compel restitution by the dependent person of the amount of maintenance
9 provided to the dependent person's child by that parent. The circuit court shall in
10 a summary way hear the allegations and proof of the parties and, after considering
11 the financial resources and the future ability of the dependent person to pay, may by
12 order specify a sum in payment of the restitution, to be paid weekly or monthly,
13 during a period fixed by the order or until further order of the court. Upon application
14 of any party affected by the order and following notice and an opportunity for
15 presentation of allegations and proof by the parties, the court may modify the order.
16 The parent of the dependent person may file a restitution order with the clerk of
17 circuit court. Upon payment of the fee under s. 814.61 (5) (a), the clerk of circuit court
18 shall enter the order on the judgment and lien docket under s. 806.10 in the same
19 manner as for a judgment in a civil action. Thereafter, the parent of the dependent
20 person may enforce the order against the dependent person in the same manner as
21 for a judgment in a civil action.

22 **SECTION 6.** 49.90 (13) (c) of the statutes is amended to read:

23 49.90 (13) (c) If the parent of the dependent person specified in par. (a) provides
24 maintenance to the dependent person's child and if par. (b) applies, the parent may
25 apply to the circuit court for the county in which the child resides for an order to

1 compel restitution by the parent specified in par. (b) of the amount of maintenance
2 provided. The circuit court shall in a summary way hear the allegations and proof
3 of the parties and, after considering the financial resources and future ability of the
4 parent of the dependent person specified in par. (b) to pay, may by order specify a sum
5 in payment of the restitution, to be paid weekly or monthly, during a period fixed by
6 the order or until further order of the court. Upon application of any party affected
7 by the order and following notice and an opportunity for presentation of allegations
8 and proof by the parties, the court may modify the order. The parent specified in par.
9 (a) may file a restitution order with the clerk of circuit court. Upon payment of a fee
10 under s. 814.61 (5) (a), the clerk of circuit court shall enter the order on the judgment
11 and lien docket under s. 806.10 in the same manner as for a judgment in a civil action.
12 Thereafter, the parent specified in par. (a) may enforce the order against the parent
13 specified in par. (b) in the same manner as for a judgment in a civil action.

14 **SECTION 7.** 50.05 (15) (e) of the statutes is amended to read:

15 50.05 (15) (e) The clerk of the circuit court for the county in which the facility
16 is located shall record the filing of the petition for receivership in the judgment and
17 lien docket kept under s. 779.07 opposite the names of the operators and controlling
18 persons named in the petition.

19 **SECTION 8.** 50.05 (15) (f) of the statutes, as affected by 1995 Wisconsin Act 27,
20 is amended to read:

21 50.05 (15) (f) The receiver shall, within 60 days after termination of the
22 receivership, file a notice of any lien created under this subsection. No action on a
23 lien created under this subsection may be brought more than 2 years after the date
24 of filing. If the lien is on real property, the notice shall be filed with the clerk of circuit
25 court of the county in which the facility is located and entered on the judgment and

1 lien docket kept under s. 779.07. If the lien is on personal property, the lien shall be
2 filed with the department of financial institutions. The department of financial
3 institutions shall place the lien on personal property in the same file as financing
4 statements are filed under ss. 409.401 and 409.402. The notice shall specify the
5 name of the person against whom the lien is claimed, the name of the receiver, the
6 dates of the petition for receivership and the termination of receivership, a
7 description of the property involved and the amount claimed. No lien shall exist
8 under this section against any person, on any property, or for any amount not
9 specified in the notice filed under this paragraph. To the extent applicable, ch. 846
10 controls the foreclosure of liens under this subsection that attach to real property.

11 **SECTION 9.** 51.42 (3) (d) 12. e. of the statutes is amended to read:

12 51.42 (3) (d) 12. e. The clerk of circuit court for the county in which the facility
13 is located shall record the filing of the petition for receivership in the judgment and
14 lien docket kept under s. 779.07 opposite the name of the county department of
15 community programs or related program named in the petition.

16 **SECTION 10.** 51.42 (3) (d) 12. f. of the statutes, as affected by 1995 Wisconsin
17 Act 27, is amended to read:

18 51.42 (3) (d) 12. f. The receiver shall, within 60 days after termination of the
19 receivership, file a notice of any lien created under this subdivision. No action on a
20 lien created under this subdivision may be brought more than 2 years after the date
21 of filing. If the lien is on real property, the notice shall be filed with the clerk of circuit
22 court for the county in which the county department of community programs or
23 related program is located and entered on ~~a~~ the judgment and lien docket kept
24 under s. 779.07. If the lien is on personal property, the lien shall be filed with the
25 department of financial institutions. The department of financial institutions shall

1 place the lien on personal property in the same file as financing statements are filed
2 under ss. 409.401 and 409.402. The notice shall specify the name of the county
3 department of community programs or related program against which the lien is
4 claimed, the name of the receiver, the dates of the petition for receivership and the
5 termination of receivership, a description of the property involved and the amount
6 claimed. No lien may exist under this subdivision against any person, on any
7 property or for any amount not specified in the notice filed under this subd. 12. f. To
8 the extent applicable, ch. 846 controls the foreclosure of liens under this subdivision
9 that attach to real property.

10 **SECTION 11.** 59.39 (7) of the statutes is amended to read:

11 59.39 (7) Keep a judgment ~~record~~ and lien docket ~~therein~~ of all money
12 judgments of the court, transcripts from judgment and lien dockets of other
13 Wisconsin courts and of federal courts, warrants for unemployment compensation
14 and warrants for delinquent Wisconsin income or franchise taxes.

15 **SECTION 12.** 59.39 (8) of the statutes is amended to read:

16 59.39 (8) Keep a judgment and lien ~~record and docket therein~~ of all claims for
17 liens filed by contractors, subcontractors, materialmen and laborers and all claims
18 filed for log, mining and maintenance liens.

19 **SECTION 13.** 59.39 (10) of the statutes is amended to read:

20 59.39 (10) File, ~~docket~~ enter, record and keep such other papers, books and
21 records as are required by law.

22 **SECTION 14.** 66.09 (1) of the statutes is renumbered 66.09 (1) (a) and amended
23 to read:

24 66.09 (1) (a) When a final judgment for the payment of money shall be
25 recovered against a town, village, city, county, school district, technical college

1 district, town sanitary district, public inland lake protection and rehabilitation
2 district or community center, or against any officer thereof, in any action by or
3 against ~~him or her~~ the officer in ~~his or her~~ the officer's name of office, when the
4 judgment should be paid by such municipality, the judgment creditor, or ~~his or her~~
5 the judgment creditor's assignee or attorney, may file with the clerk of circuit court
6 a certified transcript of the judgment ~~or of the docket of the judgment~~, together with
7 ~~his or her~~ the judgment creditor's affidavit of payments made, if any, and the amount
8 due and that the judgment has not been appealed from or removed to another court,
9 or if so appealed or removed has been affirmed.

10 (b) The amount due, with costs and interest to the time when the money will
11 be available for payment, shall be added to the next tax levy, and shall, when
12 received, be paid to satisfy the judgment. If the judgment is appealed after filing the
13 transcript with the clerk of circuit court, and before the tax is collected, the money
14 shall not be collected on that levy. If the clerk of circuit court fails to include the
15 proper amount in the first tax levy, he or she shall include it or such portion as is
16 required to complete it in the next levy.

17 **SECTION 15.** 70.39 (4) of the statutes is renumbered 70.39 (4) (a) and amended
18 to read:

19 70.39 (4) (a) Within 5 days after the receipt of the warrant the sheriff shall file
20 a copy of it with the clerk of ~~the~~ circuit court of the county, unless the person makes
21 satisfactory arrangements for payment with the department, in which case, the
22 sheriff shall, at the direction of the department, return the warrant to it.

23 (b) The clerk of circuit court shall ~~docket~~ enter the warrant as a delinquent
24 income or franchise tax warrant ~~is docketed~~ as required under s. 806.11. The clerk
25 of circuit court shall accept, file and ~~docket~~ enter the warrant without prepayment

1 of any fee, but shall submit a statement of the proper fees within 30 days to the
2 department of revenue. The fees shall be paid by the state treasurer upon audit by
3 the department of administration on the certificate of the secretary of revenue and
4 shall be charged to the proper appropriation for the department of revenue.

5 (c) The sheriff shall be entitled to the same fees for executing upon the warrant
6 as upon an execution against property issued out of a court of record, to be collected
7 in the same manner.

8 (d) Upon the sale of any real estate the sheriff shall execute a deed of the real
9 estate, and the person may redeem the real estate as from a sale under an execution
10 against property upon a judgment of a court of record. No public official may demand
11 prepayment of any fee for the performance of any official act required in carrying out
12 this section.

13 **SECTION 16.** 71.91 (5) (b) of the statutes, as affected by 1995 Wisconsin Act 27,
14 is renumbered 71.91 (5) (b) 1. and amended to read:

15 71.91 (5) (b) 1. The clerk of circuit court shall ~~docket~~ enter the warrant under
16 par. (ar) as required by s. 806.11, and upon ~~docketing~~ entering the amount of the
17 warrant, together with interest required by s. 71.82 (2), the warrant shall be
18 considered in all respects as a final judgment. The clerk of circuit court shall accept,
19 file and ~~docket~~ enter the warrant without prepayment of any fee, but the clerk of
20 circuit court shall submit a statement of the proper fee semiannually to the
21 department covering the periods from January 1 to June 30 and July 1 to December
22 31. The fees shall then be paid by the state as provided by par. (h), but the fees
23 provided by s. 814.61 (5) for filing and ~~docketing~~ entering the warrants shall be added
24 to the amount of the warrant and collected from the taxpayer when satisfaction or
25 release is presented for entry.

1 2. The sheriff shall be entitled to the same fees for executing upon such warrant
2 as upon an execution against property issued out of a court of record, to be collected
3 in the same manner.

4 3. Upon the sale of any real estate the sheriff shall execute a deed of the same,
5 and the taxpayer shall have the right to redeem the real estate as from a sale under
6 an execution against property upon a judgment of a court of record.

7 **SECTION 17.** 71.91 (5) (d) of the statutes is amended to read:

8 71.91 **(5)** (d) Upon ~~docketing~~ entry of a warrant in the judgment and lien
9 docket, the department of revenue shall have the same remedies to enforce the claim
10 for taxes, penalties, interest and costs as upon a judgment against the taxpayer.

11 **SECTION 18.** 75.521 (3) (am) 2. of the statutes is amended to read:

12 75.521 **(3)** (am) 2. The name or names of the last owner or owners and
13 mortgagee or mortgagees of the parcel as the ownership or mortgage interest
14 appears of record in the office of the register of deeds of the county in which the parcel
15 is situated, and the state of Wisconsin if it has a determined but unpaid death tax
16 lien, a filed, nonoutlawed income or franchise tax warrant or a ~~docketed~~ judgment
17 entered in the judgment and lien docket, all in the county where the parcel is
18 situated.

19 **SECTION 19.** 100.03 (12) of the statutes is amended to read:

20 100.03 **(12)** DEMAND FOR PAYMENT; JUDGMENT LIEN. If the department issues a
21 final order allowing producer claims under sub. (9), the department or any producer
22 may demand payment of an allowed claim from the contractor, and from any other
23 person who is obligated under the department's order. If the contractor does not pay
24 the claim within 30 days after the demand is served on the contractor, the
25 department or producer may file the department's final order with the clerk of circuit

1 court in any county of this state. The clerk of circuit court shall ~~docket~~ enter the order
2 as a judgment in the judgment and lien docket. Upon being ~~docketed~~ entered, the
3 order becomes a judgment lien against the real property, in that county, of the
4 contractor or person obligated under the order.

5 **SECTION 20.** 102.20 of the statutes is amended to read:

6 **102.20 Judgment on award.** ~~Either~~ If either party may ~~present~~ presents a
7 certified copy of the award to the circuit court for any county, ~~whereupon said the~~
8 court shall, without notice, render judgment in accordance therewith; ~~such.~~ A
9 judgment rendered under this section shall have the same effect as though rendered
10 in an action tried and determined by said the court, and shall, with like effect, be
11 entered ~~and docketed~~ in the judgment and lien docket.

12 **SECTION 21.** 102.24 (1) of the statutes is amended to read:

13 102.24 (1) Upon the setting aside of any order or award, the court may
14 recommit the controversy and remand the record in the case to the commission for
15 further hearing or proceedings, or it may enter the proper judgment upon the
16 findings of the commission, as the nature of the case shall demand. An abstract of
17 the judgment entered by the trial court upon the review of any order or award shall
18 be made by the clerk of the circuit court upon the judgment and lien docket entry of
19 any judgment which may have been rendered upon the order or award, ~~and~~
20 ~~transcripts.~~ Transcripts of the abstract may be obtained for like entry upon the
21 judgment and lien dockets of the courts of other counties.

22 **SECTION 22.** 102.26 (1) of the statutes is amended to read:

23 102.26 (1) No fees may be charged by the clerk of any circuit court for the
24 performance of any service required by this chapter, except for the ~~docketing~~ entry
25 of judgments and ~~for~~ certified transcripts ~~thereof~~ of judgments. In proceedings to

1 review an order or award, costs as between the parties shall be in the discretion of
2 the court, but no costs may be taxed against the commission.

3 **SECTION 23.** 102.83 (1), (2) and (4) of the statutes are amended to read:

4 102.83 (1) (a) 1. If an uninsured employer fails to pay to the department any
5 amount owed to the department under s. 102.82 and no appeal or other proceeding
6 for review is pending and the time for taking an appeal has expired, the department
7 or any authorized representative may issue a warrant directed to the clerk of circuit
8 court for any county of the state.

9 2. The clerk of circuit court shall enter in the judgment and lien docket the
10 name of the uninsured employer mentioned in the warrant and the amount of the
11 payments, interest, costs and other fees for which the warrant is issued and the date
12 when the warrant is filed entered.

13 3. A warrant ~~so docketed~~ entered under subd. 2 shall be considered in all
14 respects as a final judgment constituting a perfected lien on the uninsured
15 employer's right, title and interest in all of the uninsured employer's real and
16 personal property located in the county where the warrant is ~~docketed~~ entered.

17 4. After the warrant is ~~docketed~~ entered in the judgment and lien docket, the
18 department or any authorized representative may file an execution with the clerk
19 of circuit court for filing by the clerk of circuit court with the sheriff of any county
20 where real or personal property of the uninsured employer is found, commanding the
21 sheriff to levy upon and sell sufficient real and personal property of the uninsured
22 employer to pay the amount stated in the warrant in the same manner as upon an
23 execution against property issued upon the judgment of a court of record, and to
24 return the warrant to the department and pay to it the money collected by virtue of
25 the warrant within 60 days after receipt of the warrant.

1 (b) The clerk of circuit court shall accept, file and docket enter the warrant in
2 the judgment and lien docket without prepayment of any fee, but the clerk of circuit
3 court shall submit a statement of the proper fee semiannually to the department
4 covering the periods from January 1 to June 30 and July 1 to December 31 unless a
5 different billing period is agreed to between the clerk and the department. The fees
6 shall then be paid by the department, but the fees provided by s. 814.61 (5) for filing
7 and docketing entering the warrants shall be added to the amount of the warrant and
8 collected from the uninsured employer when satisfaction or release is presented for
9 entry.

10 (2) The department may issue a warrant of like terms, force and effect to any
11 employee or other agent of the department, who may file a copy of the warrant with
12 the clerk of circuit court of any county in the state, and thereupon the clerk of circuit
13 court shall docket enter the warrant in the judgment and lien docket and it the
14 warrant shall become a lien in the same manner, and with the same force and effect,
15 as provided in sub. (1). In the execution of the warrant, the employee or other agent
16 shall have all the powers conferred by law upon a sheriff, but may not collect from
17 the uninsured employer any fee or charge for the execution of the warrant in excess
18 of the actual expenses paid in the performance of his or her duty.

19 (4) When the payments, interest costs and other fees specified in a warrant
20 have been paid to the department, the department shall issue a satisfaction of the
21 warrant and file it with the clerk of circuit court. The clerk of circuit court shall
22 immediately ~~make a record on~~ enter the satisfaction of the judgment in the judgment
23 and lien docket of the satisfaction of the judgment. The department shall send a copy
24 of the satisfaction to the uninsured employer.

1 **SECTION 24.** 108.22 (2) (a) of the statutes is renumbered 108.22 (2) (a) 1. and
2 amended to read:

3 108.22 **(2)** (a) 1. If any employing unit fails to pay to the department any
4 amount found to be due it in proceedings pursuant to s. 108.10, provided that no
5 appeal or review permitted ~~by said section~~ under s. 108.10 is pending and that the
6 time for taking an appeal or review has expired, the department or any authorized
7 representative may issue a warrant directed to the clerk of circuit court for any
8 county of the state.

9 2. The clerk of circuit court shall enter in the judgment and lien docket the
10 name of the employing unit mentioned in the warrant and the amount of the
11 contributions, interest, costs and other fees for which the warrant is issued and the
12 date when such copy is filed entered.

13 3. A warrant ~~so docketed~~ entered under subd. 2. shall be considered in all
14 respects as a final judgment constituting a perfected lien upon the employing unit's
15 right, title and interest in all real and personal property located in the county where
16 the warrant is ~~docketed~~ entered.

17 4. The department or any authorized representative may thereafter file an
18 execution with the clerk of circuit court for filing by the clerk of circuit court with the
19 sheriff of any county where real or personal property of the employing unit is found,
20 commanding the sheriff to levy upon and sell sufficient real and personal property
21 of the employing unit to pay the amount stated in the warrant in the same manner
22 as upon an execution against property issued upon the judgment of a court of record,
23 and to return the warrant to the department and pay to it the money collected by
24 virtue thereof within 60 days after receipt of the warrant.

25 **SECTION 25.** 108.22 (2) (b) of the statutes is amended to read:

1 108.22 (2) (b) The clerk of circuit court shall accept, file and ~~docket~~ enter the
2 warrant in the judgment and lien docket without prepayment of any fee, but the clerk
3 of circuit court shall submit a statement of the proper fee semiannually to the
4 department covering the periods from January 1 to June 30 and July 1 to December
5 31 unless a different billing period is agreed to between the clerk of circuit court and
6 the department. The fees shall then be paid by the department, but the fees provided
7 by s. 814.61 (5) for ~~filing and docketing~~ entering the warrants shall be added to the
8 amount of the warrant and collected from the employing unit when satisfaction or
9 release is presented for entry.

10 **SECTION 26.** 108.22 (3) of the statutes is amended to read:

11 108.22 (3) The department may issue a warrant of like terms, force and effect
12 to any employe or other agent of the department, who may file a copy of such warrant
13 with the clerk of circuit court of any county in the state, and thereupon such clerk
14 shall ~~docket~~ enter the warrant in the judgement and lien docket and ~~it~~ the warrant
15 shall become a lien in the same manner, and with the same force and effect, as
16 provided in sub. (2). In the execution ~~thereof~~ of the warrant, the employe or other
17 agent shall have all the powers conferred by law upon a sheriff, but shall not be
18 entitled to collect from the employer any fee or charge for the execution of such ~~the~~
19 warrant in excess of the actual expenses paid in the performance of his or her duty.

20 **SECTION 27.** 108.22 (5) of the statutes is amended to read:

21 108.22 (5) When the contributions set forth in a warrant together with interest
22 and other fees to date of payment and all costs due the department have been paid
23 to it, the department shall issue a satisfaction of the warrant and file it with the clerk
24 of circuit court. The clerk of circuit court shall immediately ~~make a record on the~~

1 judgment docket of the enter a satisfaction of the judgment on the judgment and lien
2 docket. The department shall send a copy of the satisfaction to the employer.

3 **SECTION 28.** 304.10 (1) (b) of the statutes is amended to read:

4 304.10 (1) (b) A certified copy of the ~~docket~~ court record entries, the indictment
5 or information, and ~~such~~ any additional papers on file in the court, if obtainable, as
6 the governor requires;

7 **SECTION 29.** 345.51 of the statutes is amended to read:

8 **345.51 Reopening of default judgment.** Except as provided in ss. 345.36
9 and 345.37, there shall be no reopening of default judgments unless allowed by order
10 of the trial court after notice and motion duly made and upon good cause shown. The
11 notice of motion ~~must~~ shall be filed within 6 months after ~~entry of the judgment is~~
12 entered in the ~~case docket~~ court record. Default judgments for purposes of this
13 section include pleas of guilty, no contest and forfeitures of deposit.

14 **SECTION 30.** 618.61 (4) (b) 2. of the statutes is amended to read:

15 618.61 (4) (b) 2. Promptly upon the filing of the foreign decree and the affidavit,
16 the clerk of circuit court shall mail notice of the filing of the foreign decree to the
17 defendant at the address given and to the commissioner and shall note the mailing
18 in the ~~docket~~ court record. In addition, the attorney general may mail a notice of the
19 filing of the foreign decree to the defendant and to the commissioner or the
20 commissioner may mail such a notice to the defendant, and either may file proof of
21 mailing with the clerk of circuit court. Failure of the clerk of circuit court to mail
22 notice of filing shall not affect the enforcement proceedings if the attorney general
23 or commissioner has filed proof of mailing.

24 **SECTION 31.** 645.54 (3) (a) of the statutes is amended to read:

1 645.54 (3) (a) *Definition.* A lien obtainable by legal or equitable proceedings
2 upon a simple contract is one arising in the ordinary course of such proceedings a
3 legal or equitable proceeding upon the filing of a decree or entry or docketing of a
4 judgment or decree in the judgment and lien docket, or upon attachment,
5 garnishment, execution or like process, whether before, upon or after judgment or
6 decree and whether before or upon levy. It does not include liens which under
7 applicable law are given a special priority over other liens which are prior in time.

8 **SECTION 32.** 703.16 (4) of the statutes is amended to read:

9 703.16 (4) ASSESSMENTS CONSTITUTE LIEN. All assessments, until paid, together
10 with interest on them and actual costs of collection, constitute a lien on the units on
11 which they are assessed, if a statement of lien is filed within 2 years after the date
12 the assessment becomes due. The lien is effective against a unit at the time the
13 assessment became due regardless of when within the 2-year period it is filed. A
14 statement of condominium lien is filed in the land records of the clerk of circuit court
15 of the county where the unit is located, stating the description of the unit, the name
16 of the record owner, the amount due and the period for which the assessment was
17 due. The clerk of circuit court shall index the statement of condominium lien under
18 the name of the record owner in the condominium judgment and lien docket. The
19 statement of condominium lien shall be signed and verified by an officer or agent of
20 the association as specified in the bylaws and then may be filed. On full payment of
21 the assessment for which the lien is claimed, the unit owner shall be entitled to a
22 fileable satisfaction of the lien.

23 **SECTION 33.** 706.13 (1) of the statutes is amended to read:

24 706.13 (1) In addition to any criminal penalty or civil remedy provided by law,
25 any person who submits for filing, ~~docketing~~ entering in the judgment and lien

1 docket or recording, any lien, claim of lien, lis pendens, writ of attachment or any
2 other instrument relating to the title in real or personal property, knowing the
3 contents or any part of the contents to be false, sham or frivolous, is liable in tort to
4 any person interested in the property whose title is thereby impaired, for punitive
5 damages of \$1,000 plus any actual damages caused ~~thereby~~ by the filing, entering
6 or recording.

7 **SECTION 34.** 706.13 (3) of the statutes is amended to read:

8 706.13 (3) This section does not apply to a register of deeds or other government
9 employe who acts in the course of his or her official duties and files, ~~dockets~~ enters
10 or records any instrument relating to title on behalf of another person.

11 **SECTION 35.** 706.15 of the statutes is amended to read:

12 **706.15 Liens against public officials or employes.** No lien may be filed,
13 ~~docketed~~ entered or recorded against the real or personal property of any official or
14 employe of the state or any political subdivision of the state, relating to an alleged
15 breach of duty by the official or employe, except after notice and a hearing before a
16 court of record and a finding by the court that probable cause exists that there was
17 a breach of duty.

18 **SECTION 36.** 707.34 (4) of the statutes is amended to read:

19 707.34 (4) JUDGMENT LIEN. A judgment for money against an association shall
20 be a lien against all of the time shares if properly ~~docketed~~ entered in the judgment
21 and lien docket under ch. 806, but, notwithstanding s. 806.15 (1), the judgment shall
22 not constitute a lien against any other property of a time-share owner.

23 **SECTION 37.** 707.37 (2) (b) of the statutes is amended to read:

24 707.37 (2) (b) A statement of time-share lien shall be filed in the land records
25 of the office of the clerk of circuit court of the county where the time-share property

1 is located, stating the description of the time-share property and the time share, the
2 name of the time-share owner, the amount due and the period for which the
3 assessment for time-share expenses was due. The clerk of circuit court shall index
4 the statement of time-share lien under the name of the time-share owner in the
5 judgment and lien docket. The statement of time-share lien shall be signed and
6 verified by an officer or agent of the association as specified in the bylaws or, if there
7 is no association, a representative of the time-share owners. On full payment of the
8 assessment for which the lien is claimed, the time-share owner shall be entitled to
9 a fileable satisfaction of the lien.

10 **SECTION 38.** 755.12 of the statutes is amended to read:

11 **755.12 Delivery of books to municipal clerk.** When a municipal court
12 ceases to operate, the docket court records, books of account, case files, moneys and
13 bonds belonging to the court shall be delivered to the municipal clerk within 10 days
14 after the vacancy occurs by the person who is in possession. If the municipal court
15 was established under s. 755.01 (4), the person shall separate the dockets court
16 records, books, files, moneys and bonds according to the municipalities involved and
17 deliver them to the appropriate municipal clerk.

18 **SECTION 39.** 755.14 (1) (intro.) of the statutes is amended to read:

19 755.14 (1) (intro.) When the municipal clerk receives the docket court records,
20 books of account and case files of a municipal court which has ceased to operate, he
21 or she shall within 10 days dispose of them as follows:

22 **SECTION 40.** 755.14 (1) (b) of the statutes is amended to read:

23 755.14 (1) (b) Deliver the case files of the pending and appealable cases to the
24 clerk of the circuit court of the county where the court held office and certified copies
25 of the docket court records for the past 12 months to the clerk of the circuit court of

1 every ~~other~~ county in which the municipality lies, if the municipality in which the
2 municipal court was located is in more than one county.

3 **SECTION 41.** 777.36 (2) of the statutes is amended to read:

4 777.36 (2) Judgments ~~doeketed~~ entered in the judgment and lien docket against
5 the decedent, according to the respective priority thereof, ~~respectively~~ of the
6 judgments.

7 **SECTION 42.** 778.14 of the statutes is amended to read:

8 **778.14 Treasurers to collect.** Every town, village and city treasurer shall
9 demand of and recover from each municipal judge of the town, village or city,
10 respectively, all moneys received by ~~such~~ the municipal judge upon judgments
11 rendered in actions under this chapter, and every ~~such~~ municipal judge shall, on
12 demand of ~~either such treasurers~~ a town, village or city treasurer, produce to the
13 treasurer the court ~~doeket~~ record for examination and all process and papers
14 concerning or in the actions. In case of refusal or neglect by the municipal judge to
15 pay over promptly the moneys upon demand the treasurer shall cause an action to
16 be instituted for the recovery ~~thereof~~ of the moneys against the municipal judge and
17 the sureties upon the municipal judge's official bond.

18 **SECTION 43.** 779.06 (1) of the statutes is amended to read:

19 779.06 (1) No lien under s. 779.01 shall exist and no action to enforce ~~the same~~
20 a lien under s.779.01 shall be maintained unless within 6 months from the date the
21 lien claimant furnished the last labor or materials a claim for ~~such~~ the lien is filed
22 in the office of the clerk of circuit court of the county in which the lands affected
23 ~~thereby by the lien~~ lie, and unless within 2 years from the date of filing a claim for
24 lien an action is brought and summons and complaint filed therein. ~~Such.~~ A claim
25 for a lien may be filed and ~~doeketed~~ entered in the judgment and lien docket, and

1 action brought, notwithstanding the death of the owner of the property affected
2 thereby by the action or of the person with whom the original contract was made,
3 with like effect as if he or she were then living.

4 **SECTION 44.** 779.07 (title) and (1) (intro.) of the statutes are amended to read:

5 **779.07** (title) **Docket of liens Judgment and lien docket.** (1) (intro.) Every
6 clerk of the circuit court shall keep a separate judgment and lien docket, ~~entitled~~
7 ~~“lien docket,”~~ in which shall be entered, immediately upon its filing, the proper
8 entries under the appropriate headings specified in this subsection, relative to each
9 claim for lien filed ~~with the clerk of court~~, opposite the names of the persons against
10 whom the lien is claimed. The names shall be entered alphabetically, ~~or an~~
11 ~~alphabetical index shall be kept as judgment dockets are required by law to be kept.~~
12 Each page of the in the judgment and lien docket shall be divided into 9 columns, with
13 headings in the following sequence to the respective columns, as follows:

14 **SECTION 45.** 779.07 (2) of the statutes is amended to read:

15 **779.07 (2)** Such The judgment and lien docket shall be presumptive evidence
16 of the correctness of the its entries ~~therein made~~.

17 **SECTION 46.** 779.12 (2) of the statutes is amended to read:

18 **779.12 (2)** If any deficiency arises upon the sale in the payment of the sums
19 adjudged to be due to any lien claimant, the court, upon confirming such the sale,
20 may render judgment ~~therefor~~ for the deficiency if demanded in the pleadings
21 against the defendant legally liable to pay the ~~same which~~ deficiency. ~~The judgment~~
22 ~~may be docketed~~ entered in the judgment and lien docket and enforced in the same
23 manner that ordinary judgments are. The purchasers at such the sale shall be
24 entitled to a writ of assistance under s. 815.63 to obtain possession of the premises
25 sold.

1 **SECTION 47.** 779.13 (1) of the statutes is amended to read:

2 779.13 (1) Every lien claimant, or the attorney who executed and filed a claim
3 for lien on the claimant's behalf, who has received satisfaction or tender of such the
4 claim with the costs of any action brought ~~thereon~~ on the claim shall, at the request
5 of any person interested in the premises affected and on payment of the costs of
6 satisfying the same, execute and deliver the necessary satisfaction to such the
7 interested person. On filing the satisfaction with the clerk of circuit court, the clerk
8 of circuit court shall enter satisfaction of the claim on the judgment and lien docket.
9 Failure to execute and deliver the satisfaction or to satisfy the lien on the judgment
10 and lien docket shall render the person so refusing liable to pay to the person
11 requiring the satisfaction a sum equal to one-half of the sum claimed in the claim
12 for lien.

13 **SECTION 48.** 779.70 (5) of the statutes is amended to read:

14 779.70 (5) The clerk of circuit court shall ~~docket~~ enter each claim for a
15 maintenance lien in ~~a~~ the judgment and lien docket immediately after the claim is
16 filed in the same manner that other liens are ~~docketed~~ entered. The date of levy of
17 assessment will appear on the judgment and lien docket instead of the last date of
18 performance of labor or furnishing materials.

19 **SECTION 49.** 779.80 (3) (a) of the statutes is amended to read:

20 779.80 (3) (a) The clerk of circuit court ~~in every county shall, at the expense of~~
21 ~~the county, provide a suitable record to be called "the hospital lien docket", in which~~
22 ~~the clerk shall enter~~ all hospital liens in the judgment and lien docket, including the
23 name of the injured person, the date of the event causing the injury and the name
24 of the hospital or other institution making the claim. The clerk of circuit court shall

1 make a proper index of the docket in the name of the injured person and shall receive
2 the fee prescribed in s. 814.61 (5) for filing entering each claim lien.

3 **SECTION 50.** 788.14 (title) and (1) (intro.) of the statutes are amended to read:

4 **788.14 (title) Papers filed with motion regarding award; docketing**
5 **entry of judgment, effect of judgment.** (1) (intro.) Any party to a proceeding for
6 an order confirming, modifying or correcting an award shall, at the time such the
7 order is filed with the clerk of circuit court for the entry of judgment thereon, also file
8 the following papers with the clerk of circuit court:

9 **SECTION 51.** 788.14 (2) of the statutes is amended to read:

10 788.14 (2) The judgment shall be ~~docketed~~ entered in the judgment and lien
11 docket as if it was rendered in an action.

12 **SECTION 52.** 799.10 (title) and (1) of the statutes are amended to read:

13 **799.10 (title) Case file, ~~case docket~~ court record.** (1) (title) CLERK TO
14 MAINTAIN ~~DOCKET~~ COURT RECORD AND CASE FILE. The clerk of circuit court shall
15 maintain a ~~docket~~ court record of small claims cases ~~under this chapter, which docket~~
16 ~~may be in loose leaf or card form,~~ and a case file for each case in which there are
17 papers other than the ones listed in s. 799.07 to be filed.

18 **SECTION 53.** 799.10 (2) (intro.) of the statutes is amended to read:

19 799.10 (2) ENTRIES; WHAT TO CONTAIN. (intro.) Entries in the ~~docket~~ court record
20 shall include:

21 **SECTION 54.** 799.10 (3) of the statutes is amended to read:

22 799.10 (3) (title) ~~CORRECTING DOCKET~~ COURT RECORD. The judge has power at any
23 time to order the ~~docket~~ court record corrected or any omission or additional entry
24 supplied if the judge is satisfied that an error or omission exists, or that one or more
25 additional entries are needed.

1 **SECTION 55.** 799.10 (4) of the statutes is amended to read:

2 799.10 (4) (title) ~~TIME OF DOCKET~~ COURT RECORD ENTRIES. Entries in the docket
3 court record shall be made not later than the time of the entry of the judgment or final
4 order, or as soon thereafter as possible. No ~~docket~~ court record entries need be made
5 in uncontested cases where the action is for a money forfeiture charging violation of
6 a parking regulation.

7 **SECTION 56.** 799.24 (1) of the statutes is amended to read:

8 799.24 (1) ENTRY OF JUDGMENT OR ORDER; NOTICE OF ENTRY THEREOF. When a
9 judgment or an order is rendered, the judge, court commissioner or clerk of circuit
10 court shall immediately enter it in the ~~case-docket~~ court record and note the date
11 thereof which shall be the date of entry of judgment or order. The clerk of circuit
12 court, except in municipal and county forfeiture actions, shall mail a notice of entry
13 of judgment to the parties or their attorneys at their last-known address within 5
14 days of its entry. ~~Any such judgment shall be a docketed judgment for all purposes~~
15 ~~upon~~ Upon payment of the fee prescribed in s. 814.62 (3) (c). ~~The, the~~ clerk of circuit
16 court shall enter the ~~docketed~~ judgment in an appropriate the judgment record and
17 lien docket.

18 **SECTION 57.** 799.24 (2) of the statutes is amended to read:

19 799.24 (2) (title) ~~APPLICABILITY OF SECTION S.~~ 806.15. Section 806.15 shall apply
20 with respect to ~~docketed~~ judgments entered in the judgment and lien docket.

21 **SECTION 58.** 800.04 (1) (b) 2. of the statutes is amended to read:

22 800.04 (1) (b) 2. The defendant shall plead to the charges and the municipal
23 judge shall enter the plea in the court ~~docket~~ record. If the defendant refuses to
24 plead, the municipal judge shall enter a plea of not guilty.

25 **SECTION 59.** 800.06 (1) (intro.) of the statutes is amended to read:

1 800.06 (1) (intro.) If any municipal judge is to be temporarily absent or is sick
2 or disabled, the municipal judge may deliver the ~~docket~~ court record and all papers
3 relating to any pending action to the circuit court of the county and the circuit court
4 may try the action and enter judgment as though the action was begun before that
5 court or the municipal judge may by written order, filed in the court and with the
6 approval of the chief judge of the judicial administrative district, do one of the
7 following:

8 **SECTION 60.** 800.06 (2) of the statutes is amended to read:

9 800.06 (2) If any municipal judge is incompetent, unable or fails to act, s. 751.03
10 (2) applies. The parties and their attorneys shall be notified of the transfer to another
11 judge or to circuit court prior to trial. The judge designated or the circuit court to
12 which the case is transferred may, while in possession of the ~~docket~~ court record,
13 issue execution upon or give a certified transcript of any unsatisfied judgment
14 appearing ~~therein~~ in the record.

15 **SECTION 61.** 800.11 (title) and (1) (intro.) of the statutes are amended to read:

16 **800.11 (title) Municipal court ~~docket~~ record and transcript entries. (1)**
17 (intro.) Every municipal judge shall keep a ~~docket~~ court record in which he or she
18 shall enter, in actions to which they relate:

19 **SECTION 62.** 800.11 (2) of the statutes is amended to read:

20 800.11 (2) Failure of the municipal judge to keep a ~~docket~~ court record properly
21 shall not affect the jurisdiction of the municipal court or render the judgment void.

22 **SECTION 63.** 800.11 (4) of the statutes is amended to read:

23 800.11 (4) If the municipal judge is elected under s. 755.01 (4), the judge shall
24 keep ~~a~~ separate ~~docket~~ court records for each municipality.

1 **SECTION 64.** 806.10 (title) and (1) (intro.), (a) and (e) of the statutes are
2 amended to read:

3 **806.10 (title) Judgment and lien docket. (1)** (intro.) At the time of entry
4 of a judgment directing in whole or in part the payment of money, or a judgment
5 naming a spouse under s. 806.15 (4), and upon payment of the fee prescribed in s.
6 814.61 (5) (b), the clerk of circuit court shall enter the judgment in ~~a~~ the judgment
7 and lien docket, ~~either arranged alphabetically or accompanied by an alphabetical~~
8 ~~index, a docket of such judgment containing, including all of the following:~~

9 (a) The full name and place of residence of each judgment debtor and of the
10 spouse or former spouse of the judgment debtor if the spouse is named in a judgment
11 described under s. 806.15 (4). If the judgment or judgment and lien docket fails to
12 give the place of residence of the judgment debtor or the judgment debtor's spouse
13 or former spouse, the validity of the judgment is not affected thereby, but the
14 judgment creditor may at any time file with the clerk of circuit court an affidavit
15 stating, on knowledge or information and belief, the information. The clerk of circuit
16 court shall thereupon enter the facts according to the affidavit in the judgment and
17 lien docket, noting the date and ~~hour~~ time of the entry.

18 (e) The day and ~~hour~~ time of entering such docket entry.

19 **SECTION 65.** 806.10 (1) (g) of the statutes is renumbered 806.10 (1m) and
20 amended to read:

21 806.10 (1m) If the a judgment is against several persons such ~~statement, the~~
22 clerk of circuit court shall ~~be repeated~~ enter the judgment, in accordance with the
23 procedure under sub. (1) in the judgment and lien docket under the name of each
24 person against whom the judgment was rendered, ~~in the alphabetical order of their~~
25 ~~names, respectively, when the docket is arranged alphabetically, or entered in the~~

1 ~~index under the name of each such person when the docket is kept with an~~
2 ~~alphabetical index accompanying.~~

3 **SECTION 66.** 806.10 (2) of the statutes is amended to read:

4 806.10 (2) Whenever any docketed judgment shall be entered in the judgment
5 and lien docket is reversed and the remittitur filed, the clerk of circuit court shall
6 enter ~~on the docket~~ “reversed on appeal” on the judgment and lien docket.

7 **SECTION 67.** 806.10 (3) of the statutes is amended to read:

8 806.10 (3) Every clerk of circuit court who ~~dockets~~ enters a judgment or decree
9 and enters upon the judgment and lien docket a date or time other than that of its
10 actual entry or neglects to ~~docket~~ enter the same at the proper time shall be liable
11 in treble damages to the party injured.

12 **SECTION 68.** 806.11 (title) of the statutes is amended to read:

13 **806.11** (title) **Delinquent income or franchise tax docket lien.**

14 **SECTION 69.** 806.11 (intro.) of the statutes is renumbered 806.11 (1) (intro.) and
15 amended to read:

16 806.11 (1) (intro.) At the time of filing the warrant provided by s. 71.74 (14) or
17 71.91 (5), the clerk of circuit court shall enter the warrant in the delinquent income
18 or franchise tax judgment and lien docket, ~~either arranged alphabetically or~~
19 ~~accompanied by an alphabetical index, a docket of such warrant containing~~
20 including:

21 **SECTION 70.** 806.11 (1) to (4) of the statutes are renumbered 806.11 (1) (a) to
22 (d), and 806.11 (1) (c), as renumbered, is amended to read:

23 806.11 (1) (c) The day and hour time of ~~entering such docket~~ entry.

24 **SECTION 71.** 806.11 (5) of the statutes is renumbered 806.11 (2) and amended
25 to read:

1 806.11 (2) If ~~the a~~ warrant be provided by s. 71.74 (14) or 71.91 (5) is against
2 several persons ~~such statement,~~ the warrant shall be repeated entered, in
3 accordance with the procedure under sub. (1), in the judgment and lien docket under
4 the name of each person against whom the warrant was issued, ~~in the alphabetical~~
5 ~~order of their names, respectively, when the docket is arranged alphabetically, or~~
6 ~~entered in the index under the name of each such person when the docket is kept with~~
7 ~~an alphabetical index accompanying.~~

8 **SECTION 72.** 806.115 of the statutes is amended to read:

9 **806.115 Filing of duplicate copy of warrant.** The department of revenue
10 may file in any county a duplicate copy of a warrant filed under s. 71.74 (14) or 71.91
11 (5) and the clerk of circuit court shall enter ~~such~~ the duplicate copy on the ~~delinquent~~
12 ~~income tax judgment and lien~~ docket as provided in s. 806.11, ~~and upon entry therein.~~
13 When so entered, the duplicate copy shall have the same legal effect as the warrant
14 filed under s. 71.91 (5).

15 **SECTION 73.** 806.12 of the statutes is renumbered 806.12 (1) and amended to
16 read:

17 806.12 (1) The clerk of ~~the~~ circuit court shall, upon the production of a duly
18 certified transcript of a judgment for more than \$10, exclusive of costs, rendered by
19 any municipal judge in the county, ~~forthwith file the same and docket such~~ enter the
20 judgment in the judgment and lien docket of the court in the manner prescribed in
21 s. 806.10. When the transcript shows that execution was stayed in the municipal
22 court, with the name of the surety thereof, the clerk of circuit court shall ~~docket~~ enter
23 the judgment against ~~such~~ the surety as well as the judgment debtor, and ~~such~~ the
24 surety shall be bound thereby as a judgment debtor and the surety's property shall

1 be subject to lien and be liable ~~thereon~~ on the lien to the same extent as the surety's
2 principal.

3 **(2)** Every ~~such~~ judgment entered in the judgment and lien docket under sub.
4 (1), from the time of ~~such~~ the filing of the transcript ~~thereof~~ of the judgment, shall
5 be deemed considered the judgment of the circuit court~~;~~. The judgment shall be
6 equally under the control thereof and be of the circuit court and municipal court. The
7 judgment shall be carried into execution, both as to the principal judgment debtor
8 and the debtor's surety, if any, in the same manner and with like effect as the
9 judgments thereof of the circuit court, except that no action can be brought upon the
10 same judgment as a judgment of ~~such~~ the circuit court nor execution issued ~~thereon~~
11 on that judgment after the expiration of the period of the lien ~~thereof~~ of the judgment
12 on real estate provided by s. 806.15.

13 **SECTION 74.** 806.13 of the statutes is amended to read:

14 **806.13** (title) **Judgments docketed entered in other counties.** When a
15 judgment is ~~docketed~~ entered as provided in ss. 806.10, 806.12 and 806.24, or a
16 warrant is ~~docketed~~ entered as provided in s. 108.22 (2) (a), it may be ~~docketed in like~~
17 ~~manner~~ entered in any other county, upon filing with the clerk of circuit court ~~thereof~~
18 of that county a transcript from the original judgment and lien docket, certified to
19 be a true copy ~~therefrom~~ by the clerk of the original circuit court ~~having custody~~
20 thereof.

21 **SECTION 75.** 806.14 of the statutes is amended to read:

22 **806.14 Enforcement of real estate judgment in other counties.** If a
23 judgment affecting real property is rendered in any county other than that in which
24 the property is situated, the clerk of ~~the~~ circuit court of the county where the property
25 is situated shall, upon production of a duly certified copy of the judgment and

1 payment of the fee specified by s. 814.61 (5) (b), file and ~~docket it~~ enter the judgment
2 in the judgment and lien docket. The judgment may ~~thereupon~~ be enforced in the
3 circuit court for either county.

4 **SECTION 76.** 806.15 (1) of the statutes is amended to read:

5 806.15 (1) Every judgment properly ~~docketed~~ entered in the judgment and lien
6 docket showing the judgment debtor's place of residence shall, for 10 years from the
7 date of entry, be a lien on ~~the~~ all real property of every person against whom the
8 judgment is entered which is in the county where the judgment is rendered, except
9 the homestead mentioned in property that is exempt from execution under s. 815.20,
10 in the county where docketed, of every person against whom it is rendered and
11 docketed, and which the person has at the time of ~~docketing~~ the entry or which the
12 person acquires thereafter within the 10-year period.

13 **SECTION 77.** 806.15 (2) of the statutes is renumbered 806.15 (2) (a) and
14 amended to read:

15 806.15 (2) (a) When the collection of the judgment or the sale of the real estate
16 upon which ~~it~~ the judgment is a lien shall be delayed by law, and the judgment
17 creditor shall have caused to be entered on the judgment and lien docket
18 "enforcement suspended by injunction" or otherwise, as the case may be, and such
19 that entry is dated, the time period of ~~such~~ the delay after the date of ~~such~~ the entry
20 shall not be taken as considered part of said 10 years. ~~And whenever the 10-year~~
21 period under sub. (1).

22 (b) Whenever an appeal from any judgment shall be pending and the bond or
23 deposit requisite to stay execution has been given or made, the trial court may, on
24 motion, after notice to the judgment creditor, on such terms as ~~it~~ the trial court shall
25 see fit, direct the clerk of circuit court to enter on the judgment and lien docket that

1 such the judgment is “secured on appeal” and ~~thereupon it~~ the judgment shall cease,
2 during the pendency of such the appeal, to be a lien.

3 **SECTION 78.** 806.15 (3) of the statutes is amended to read:

4 806.15 (3) If the judgment is affirmed on appeal or the appeal is dismissed the
5 clerk of circuit court shall, on the filing of the remittitur, enter on the judgment and
6 lien docket “lien restored by affirmance” or “lien restored by dismissal of appeal” with
7 the date of such the entry, and the lien thereof shall be ~~thereupon~~ restored. Similar
8 entries may be made with the like effect upon the judgment and lien docket of such
9 the judgment in any other county upon filing with the clerk of ~~the~~ circuit court thereof
10 a transcript of from the original judgment and lien docket.

11 **SECTION 79.** 806.15 (4) (a) of the statutes is amended to read:

12 806.15 (4) (a) With respect to property held by the spouse of the judgment
13 debtor when the judgment is ~~docketed~~ entered in the judgment and lien docket, the
14 property is expressly determined available under s. 766.55 to satisfy the obligation.

15 **SECTION 80.** 806.15 (4) (b) of the statutes is amended to read:

16 806.15 (4) (b) The property is acquired after the judgment is ~~docketed~~ entered
17 in the judgment and lien docket.

18 **SECTION 81.** 806.16 of the statutes is amended to read:

19 **806.16** (title) **Appellate court judgment, ~~docketing~~ entry.** The clerk of the
20 supreme court, on demand and upon payment of \$1, shall furnish a certified
21 transcript of any money judgment of the court of appeals or the supreme court, which
22 transcript may be filed and ~~docketed~~ entered in the judgment and lien docket in the
23 office of any clerk of ~~the~~ circuit court in the manner that other judgments are
24 ~~docketed~~ entered and shall then be a like lien and for a like the same time as circuit
25 court judgments on the real property in the county where ~~docketed~~ entered. If the

1 court of appeals or supreme court remits its judgment for the recovery of money or
2 for costs to the lower court, the judgment shall ~~in like manner be docketed~~ entered
3 by the clerk of the lower court and shall have the like force and effect as judgments
4 of the circuit court ~~so docketed~~ that are entered.

5 **SECTION 82.** 806.17 of the statutes is amended to read:

6 **806.17 (title) ~~Docketing~~ Entering federal judgments.** Every judgment and
7 decree requiring the payment of money rendered in a district court of the United
8 States within this state shall be, ~~from the docketing thereof in said court,~~ a lien upon
9 the real property of the judgment debtor situated in the county in which it is ~~so~~
10 ~~docketed~~ entered, the same as a judgment of the state court. A transcript of such
11 ~~docket~~ the judgment may be filed with the clerk of ~~the~~ circuit court of any other
12 county; and shall be ~~docketed~~ entered in the ~~clerk's office~~ of the clerk of circuit court
13 as in the case of judgments and decrees of the state courts and with like effect, on
14 payment of fees as provided in s. 814.61 (5).

15 **SECTION 83.** 806.18 of the statutes is amended to read:

16 **806.18 Assignment of judgment.** (1) When a duly acknowledged
17 assignment of a judgment is filed, the clerk of circuit court shall ~~note the fact and the~~
18 ~~date thereof and of filing~~ enter the assignment on the judgment and lien docket.

19 (2) An assignment may be made by an entry on the judgment and lien docket
20 thus: "I assign this judgment to A.B.", signed by the owner, with the date affixed and
21 witnessed by the clerk of circuit court.

22 **SECTION 84.** 806.19 (1) (a) and (c) of the statutes are amended to read:

23 **806.19 (1) (a)** A judgment may be satisfied in whole or in part or as to any
24 judgment debtor by an instrument signed and acknowledged by the owner or, if no
25 assignment has been filed, by the owner's attorney of record, or by an

1 acknowledgment of satisfaction, signed and entered on the judgment and lien docket
2 in the county where first docketed entered, with the date of entry, and witnessed by
3 the clerk of circuit court. Every satisfaction of a part of a judgment or as to some of
4 the judgment debtors shall state the amount paid ~~thereon~~ on the judgment or for the
5 release of ~~such~~ the debtors, naming them.

6 (c) On filing a duly executed satisfaction, the clerk of circuit court shall enter
7 the ~~same~~ satisfaction on the court record of the case and shall enter a statement of
8 the substance ~~thereof~~ of the satisfaction, including the amount paid, on the ~~margin~~
9 ~~of the judgment~~ and lien docket with the date of filing the satisfaction.

10 **SECTION 85.** 806.19 (2) and (3) of the statutes are amended to read:

11 806.19 (2) When an execution is returned satisfied in whole or in part the
12 judgment is deemed considered satisfied to the extent of the amount so returned
13 unless ~~such~~ the return is vacated ~~and the~~. ~~The~~ clerk of circuit court shall enter in
14 the judgment and lien docket that the amount stated in ~~such~~ the return has been
15 collected.

16 (3) For the purpose of paying any money judgment, the debtor may deposit with
17 the clerk of ~~the~~ circuit court in which the judgment was entered the amount of
18 liability ~~thereon~~ on the judgment. The clerk of circuit court shall give the debtor a
19 certificate showing the date and amount of the deposit and identifying the judgment;
20 ~~and~~. ~~The~~ clerk of circuit court shall immediately note on the judgment and lien
21 docket ~~thereof~~ ~~and on the margin of the judgment journal~~ the amount and date of the
22 deposit. The debtor shall immediately give written notice to the owner of record of
23 the judgment and to the owner's attorney of record, personally, or by registered mail,
24 to the last-known post-office address, stating the amount, date and purpose of the
25 deposit, and that it is held subject to the order of the judgment owner. Ten days after

1 giving the notice, the clerk of circuit court shall, upon filing proof of service, satisfy
2 the judgment of record, unless the trial court otherwise orders. Acceptance by the
3 owner of the sum deposited has the same legal consequences that payment direct by
4 the debtor would have. Payment to the clerk shall include the fee prescribed in s.
5 814.61 (5).

6 **SECTION 86.** 806.19 (4) (b) (form) 1. of the statutes is amended to read:

7 806.19 (4) (b) (form) 1. (Name of judgment debtor) has received an order of
8 discharge of debts under the bankruptcy laws of the United States, a copy of which
9 is attached, and (Name of judgment debtor or person interested in real property)
10 applies for satisfaction of the following judgments:

11 ... (List of judgments by case name, case number, date and, if applicable,
12 judgment and lien docket volume and page number.)

13 **SECTION 87.** 806.19 (4) (b) (form) 3. of the statutes is amended to read:

14 806.19 (4) (b) (form) 3. The undersigned believes that each judgment listed
15 above has been completely voided by the discharge in bankruptcy, and no
16 inconsistent ruling has been made by, or is being requested by any party from, the
17 bankruptcy court.

18 Dated this day of, 19....

19 ...(Signature)

20 Judgment Debtor, Person Interested in Real Property or Attorney for Debtor or
21 Person

22 ORDER OF SATISFACTION

23 The clerk of circuit court is directed to indicate on the judgment and lien docket
24 that each judgment described in the attached application has been satisfied.

25 Dated this day of, 19....

1(Signature)

2 Circuit Judge

3 **SECTION 88.** 806.20 (1) of the statutes is amended to read:

4 806.20 (1) When a judgment has been fully paid but not satisfied or the
5 satisfaction has been lost, the trial court may authorize the attorney of the judgment
6 creditor to satisfy the same judgment or may by order declare the same judgment
7 satisfied and direct satisfaction to be entered upon the judgment and lien docket.

8 **SECTION 89.** 806.21 of the statutes is amended to read:

9 **806.21 Judgment satisfied not a lien; partial satisfaction.** If a judgment
10 is satisfied in whole or in part or as to any judgment debtor and ~~such~~ the satisfaction
11 ~~docketed, such is entered in the judgment and lien docket, the~~ judgment shall, to the
12 extent of ~~such~~ the satisfaction, cease to be a lien; ~~and any.~~ Any execution thereafter
13 issued after the satisfaction is entered in the judgment and lien docket shall contain
14 a direction to collect only the residue ~~thereof~~ of the judgment, or to collect only from
15 the judgment debtors remaining liable ~~thereon~~.

16 **SECTION 90.** 806.22 of the statutes is amended to read:

17 **806.22 (title) Filing transcript copy of satisfaction.** If a satisfaction of a
18 judgment has been entered on the judgment and lien docket in the county where it
19 was first ~~docketed~~ entered, a certified ~~transcript~~ copy of the docket satisfaction or a
20 certificate by the clerk of circuit court, under official seal, showing the satisfaction,
21 may be filed with the clerk of the circuit court ~~in~~ of any county where it is docketed
22 the judgment has been entered, and ~~such~~ that clerk of circuit court shall thereupon
23 make a similar entry on the clerk's judgment and lien docket of that county.

24 **SECTION 91.** 806.24 (3) (b) of the statutes is amended to read:

1 806.24 (3) (b) Promptly upon the filing of the foreign judgment and affidavit,
2 the clerk of circuit court shall mail notice of the filing of the foreign judgment to the
3 judgment debtor at the address given and shall make a note of the mailing ~~in~~ on the
4 ~~docket~~ court record. The notice shall include the name and post-office address of the
5 judgment creditor and the judgment creditor's lawyer, if any, in this state. In
6 addition, the judgment creditor may mail a notice of the filing of the judgment to the
7 judgment debtor and may file proof of mailing with the clerk of circuit court. Lack
8 of mailing notice of filing by the clerk of circuit court shall not affect the enforcement
9 proceedings if proof of mailing by the judgment creditor has been filed.

10 **SECTION 92.** 806.245 (5) of the statutes is amended to read:

11 806.245 (5) No lien or attachment based on a tribal court judgment may be
12 filed, ~~docketed~~ entered in the judgment and lien docket or recorded in this state
13 against the real or personal property of any person unless the judgment has been
14 given full faith and credit by a circuit court under this section.

15 **SECTION 93.** 806.36 (8) of the statutes is amended to read:

16 806.36 (8) A judgment shall be filed with the clerk of circuit court and ~~docketed~~
17 entered in the judgment and lien docket in foreign money in the same manner and
18 shall have the same effect as other judgments.

19 **SECTION 94.** 806.39 (2) of the statutes is amended to read:

20 806.39 (2) Notwithstanding sub. (1), a foreign judgment may be filed and
21 ~~docketed~~ entered in the judgment and lien docket under s. 806.24.

22 **SECTION 95.** 808.03 (1) of the statutes is amended to read:

23 808.03 (1) APPEALS AS OF RIGHT. A final judgment or a final order of a circuit
24 court may be appealed as a matter of right to the court of appeals unless otherwise
25 expressly provided by law. A final judgment or final order is a judgment or order

1 entered in accordance with s. 806.06 (1) (b) or 807.11 (2) or a disposition recorded in
2 ~~docket~~ court record entries in ch. 799 cases or traffic regulation or municipal
3 ordinance violation cases prosecuted in circuit court which disposes of the entire
4 matter in litigation as to one or more of the parties, whether rendered in an action
5 or special proceeding.

6 **SECTION 96.** 809.105 (3) (a) and (c) of the statutes are amended to read:

7 809.105 (3) (a) *Fee.* No fee for ~~docketing~~ filing an appeal in the court of appeals
8 under this section may be required of a minor or of a member of the clergy who files
9 an appeal under this section on behalf of the minor.

10 (c) (title) ~~Docketing~~ Filing in court of appeals. The clerk of the court of appeals
11 shall ~~docket~~ file the appeal immediately upon receipt of the items specified in par.
12 (b).

13 **SECTION 97.** 809.105 (8) of the statutes is amended to read:

14 809.105 (8) ASSIGNMENT AND ADVANCEMENT OF CASES. The court of appeals shall
15 take cases appealed under this section in an order that ensures that a judgment is
16 made within 4 calendar days after the appeal has been ~~docketed~~ filed in the court of
17 appeals. The time limit under this subsection may be extended with the consent of
18 the minor and her counsel, if any, or the member of the clergy who initiated the
19 appeal under this section, if any.

20 **SECTION 98.** 809.11 (title) and (1) of the statutes are amended to read:

21 **809.11 (title) Rule (Items to be filed, and forwarded and ~~docketed~~).** (1)
22 (title) ~~FEE TO BE FILED.~~ The appellant shall ~~file~~ pay the filing fee with the notice of
23 appeal ~~the fee for docketing an appeal with the court of appeals.~~

24 **SECTION 99.** 809.11 (2) of the statutes is amended to read:

1 **809.11 (2)** FORWARDING TO COURT OF APPEALS. The clerk of the trial court shall
2 forward to the court of appeals, within 3 days of the filing of the notice of appeal, a
3 copy of the notice of appeal, the ~~docketing~~ filing fee, and a copy of the trial court record
4 (~~docket entries~~) of the case in the trial court maintained pursuant to s. 59.39 (2) or
5 (3).

6 **SECTION 100.** 809.11 (3) of the statutes is amended to read:

7 **809.11 (3)** (title) ~~Docketing~~ FILING IN COURT OF APPEALS. The clerk of the court
8 of appeals shall ~~docket~~ file the appeal upon receipt of the items referred to in sub. (2).

9 **SECTION 101.** 809.14 (1) of the statutes is amended to read:

10 **809.14 (1)** A party seeking an order or other relief in a ~~docketed~~ case shall file
11 a motion for the order or other relief. The motion must state the order or relief sought
12 and the grounds on which the motion is based and may include a statement of the
13 position of other parties as to the granting of the motion. A motion may be supported
14 by a memorandum. Any other party may file a response to the motion within 7 days
15 of service of the motion.

16 **SECTION 102.** 809.18 of the statutes is amended to read:

17 **809.18 Rule (Voluntary dismissal).** An appellant may dismiss an a filed
18 appeal by filing a notice of dismissal. ~~The notice must be filed in the court or, if the~~
19 appeal is not yet ~~docketed in the court~~ filed, in the trial court. The dismissal of an
20 appeal does not affect the status of a cross-appeal or the right of a respondent to file
21 a cross-appeal.

22 **SECTION 103.** 809.19 (2) of the statutes is amended to read:

23 **809.19 (2)** APPENDIX. The appellant's brief shall include a short appendix
24 providing relevant ~~docket~~ trial court record entries in the trial court, the findings or
25 opinion of the trial court and limited portions of the record essential to an

1 understanding of the issues raised, including oral or written rulings or decisions
2 showing the trial court's reasoning regarding those issues. The appendix shall
3 include a table of contents. If the record is required by law to be confidential, the
4 portions of the record included in the appendix shall be reproduced using first names
5 and last initials instead of full names of persons, specifically including juveniles and
6 parents of juveniles, with a notation that the portions of the record have been so
7 reproduced to preserve confidentiality and with appropriate references to the record.

8 **SECTION 104.** 809.25 (1) (d) of the statutes is amended to read:

9 809.25 (1) (d) Costs allowed by the court are taxed by the clerk ~~in~~ of the court
10 of appeals irrespective of the filing by a party of a petition for review in the supreme
11 court. In the event of review by the supreme court, costs are taxed by the clerk ~~in~~ of
12 the supreme court as set forth in pars. (a) and (b). The clerk of the supreme court
13 shall include in the remittitur the costs allowed in the court. The clerk ~~of the trial~~
14 circuit court shall ~~docket~~ enter the judgment for costs in accordance with s. 806.16.

15 **SECTION 105.** 809.25 (2) (c) of the statutes is amended to read:

16 809.25 (2) (c) The clerk of the court of appeals may refuse to file, ~~docket~~, record,
17 certify, or render any other service without prepayment of the fees established by this
18 section.

19 **SECTION 106.** 812.31 (3) of the statutes is amended to read:

20 812.31 (3) An earnings garnishment action may not be commenced in a county
21 other than the county where the judgment is entered unless a transcript of the
22 judgment is ~~docketed~~ entered in that county.

23 **SECTION 107.** 812.44 (2) of the statutes is amended to read:

24 812.44 (2) The notice filed by the creditor to initiate an earnings garnishment
25 under s. 812.35 (1) shall be in substantially the following form:

1 STATE OF WISCONSIN
2 CIRCUIT COURT: County

3	A.B., Creditor	File or Reference Number.....
4	vs.	EARNINGS
5	C.D., Debtor	GARNISHMENT
6	and	NOTICE
7	E.F., Garnishee	

8
9 To the Clerk of Circuit Court:

10 Please take and file notice that the creditor has today commenced an earnings
11 garnishment action under subchapter II of chapter 812 of the Wisconsin Statutes
12 against the debtor and the garnishee to collect an unsatisfied civil judgment. The
13 judgment was entered on the day of, 19.., by (County Circuit or Federal
14 District) Court. The case number of the action in which the judgment is entered is
15 [and a transcript of the judgment was ~~doeketed~~ entered in this county in file
16 number]. The creditor's total claim for the unsatisfied portion of this judgment
17 plus statutory interest and costs is \$....

18 The names and addresses last known to the creditor of the parties to this
19 proceeding are as follows:

20 Debtor

21 Name:

22 Address:

23 Garnishee

24 Name:

1 Address:

2 Creditor

3 Name:

4 Address:

5 Creditor's Attorney

6 Name:

7 Address:

8 Signature of Creditor or Creditor's Attorney:

9 Date:

10 **SECTION 108.** 814.10 (1) of the statutes is amended to read:

11 814.10 (1) CLERK'S DUTY, NOTICE, REVIEW. The clerk of circuit court shall tax and
12 insert in the judgment and in the judgment and lien docket thereof, if the same
13 judgment shall have been docketed entered, on the application of the prevailing
14 party, upon ~~three~~ 3 days' notice to the other, the sum of the costs and disbursements
15 as above provided in this chapter, verified by affidavit.

16 **SECTION 109.** 814.60 (1) of the statutes is amended to read:

17 814.60 (1) In a criminal action, the clerk of circuit court shall collect a fee of
18 \$20 for all necessary filing, entering, ~~docketing~~ or recording, to be paid by the
19 defendant when judgment is entered against the defendant. Of the fees received by
20 the clerk of circuit court under this subsection, the county treasurer shall pay 50%
21 to the state treasurer for deposit in the general fund and shall retain the balance for
22 the use of the county.

23 **SECTION 110.** 814.61 (5) (a) of the statutes is amended to read:

1 814.61 (5) (a) Issuing executions, certificates, commissions to take depositions,
2 transcripts from the judgment and lien docket, and any writs not commencing an
3 action or special proceeding.

4 **SECTION 111.** 814.61 (5) (b) of the statutes is amended to read:

5 814.61 (5) (b) Filing and ~~docketing~~ entering judgments, transcripts of
6 judgments, liens, warrants and awards, including filing and ~~docketing~~ entering
7 assignments or satisfactions of judgments, liens or warrants and withdrawals,
8 satisfactions and voidances of tax warrants under s. 71.91 (5) (g).

9 **SECTION 112.** 814.61 (11) of the statutes is amended to read:

10 814.61 (11) SEARCHES. For searching files or records to locate any one action
11 when the person requesting the same search does not furnish the ~~docket or file~~ case
12 number of the action, or to ascertain the existence or nonexistence of any instrument
13 or record in the ~~clerk's custody~~ of the clerk of circuit court, \$5.

14 **SECTION 113.** 814.66 (1) (j) of the statutes is amended to read:

15 814.66 (1) (j) For searching files or records to locate any one action when the
16 person requesting the same search does not furnish the ~~docket or file~~ case number
17 of the action, or to ascertain the existence or nonexistence of any instrument or record
18 in the ~~clerk's custody~~ of the clerk of circuit court, \$4.

19 **SECTION 114.** 815.04 (1) of the statutes is renumbered 815.04 (1) (a) and
20 amended to read:

21 815.04 (1) (a) Upon any judgment of a court of record perfected as specified in
22 s. 806.06 or any judgment of any other court ~~docketed in~~ entered in the judgment
23 and lien docket of a court of record, execution may issue at any time within 5 years
24 after the rendition ~~thereof, and when~~ of the judgment. ~~When~~ an execution shall have

1 has been so issued and returned unsatisfied in whole or in part other executions may
2 issue at any time upon application of the judgment creditor. ~~But if~~

3 (b) ~~If no execution was~~ on a judgment as described in par. (a) is issued within
4 said 5 years after the rendition of the judgment, or, if application ~~be is~~ made by one
5 other than the judgment creditor, ~~execution shall issue~~ may be issued only upon
6 leave of the court, in its discretion, upon prior notice to the judgment debtor, served
7 as a summons is served, in a court of record. If the judgment debtor is absent or a
8 nonresident, service of the notice may be by a class 3 notice, under ch. 985, or in ~~such~~
9 any other manner as that the court directs. Application shall be by the petition of
10 the judgment creditor or of the assignee, setting forth that ~~such~~ the judgment or a
11 portion ~~thereof~~ of the judgment remains unpaid, and that the petitioner is the bona
12 fide owner ~~thereof~~ of the judgment, for value; ~~but no~~.

13 (c) ~~No~~ executions shall issue or any proceedings be had commenced upon any
14 judgment after 20 years from the rendition ~~thereof~~ of the judgment.

15 **SECTION 115.** 815.05 (intro.) of the statutes is amended to read:

16 **815.05 execution, how issued; contents.** (intro.) The execution ~~must~~ shall
17 be issued from and ~~be~~ sealed with the seal of the court and signed by the clerk of
18 circuit court where the judgment roll, or a certified copy ~~thereof~~ of the judgment, or
19 the transcript of the municipal judge's judgment is filed, The execution shall be
20 directed to the sheriff, or the coroner if the sheriff is a party or interested, and
21 countersigned by the owner or his or her attorney, ~~and must~~. The execution shall
22 intelligibly refer to the judgment, stating the court, the county where the judgment
23 roll or a certified copy ~~thereof~~ of the judgment or the transcript is filed, the names
24 of the parties, the amount of the judgment, if it is for money, ~~and~~ the amount due
25 ~~thereon~~ on the judgment, and the time of ~~docketing~~ entry in the judgment and lien

1 docket in the county to which the execution is issued, and shall. The execution shall
2 require the officer, substantially as follows:

3 **SECTION 116.** 815.05 (1) of the statutes is amended to read:

4 815.05 (1) If it be against the property of the judgment debtor, to satisfy the
5 judgment out of the personal property of such the debtor, and if sufficient personal
6 property cannot be found, out of the real property belonging to the judgment debtor
7 on the day when the judgment was ~~docketed~~ entered in the judgment and lien docket
8 in the county or at any time thereafter.

9 **SECTION 117.** 815.05 (6) of the statutes is amended to read:

10 815.05 (6) If it is for the delivery of property, to deliver the possession of the
11 same property, particularly describing it the property, to the party entitled thereto
12 to the property, and may require the officer to satisfy any costs, damages or rents and
13 profits covered by the judgment out of the personal property of the party against
14 whom it the judgment was rendered, and shall specify the value of the property for
15 which the judgment was recovered; ~~if a.~~ If delivery of the property cannot be had is
16 not possible and if sufficient personal property cannot be found, ~~then~~ the officer may
17 satisfy the judgment out of the real property belonging to the person against whom
18 the execution was rendered on the day when the judgment was ~~docketed~~ entered in
19 the judgment and lien docket or at any time thereafter. When a judgment in replevin
20 is entered against the principal and also against the principal's sureties under s.
21 810.15, the execution shall direct that the property of the surety shall not be levied
22 on unless the property found, belonging to the principal, is not sufficient to satisfy
23 the judgment.

24 **SECTION 118.** 815.07 of the statutes is amended to read:

1 **815.07 To what county issued.** When the execution is against the property
2 of the judgment debtor ~~it, the execution~~ may be issued to the sheriff of any county
3 where the judgment is docketed entered in the judgment and lien docket. When it
4 the execution requires the delivery of real or personal property ~~it must, the execution~~
5 shall be issued to the sheriff of the county where the property or some part thereof
6 of the property is situated. Executions may be issued at the same time to different
7 counties.

8 **SECTION 119.** 815.20 (2) of the statutes is amended to read:

9 815.20 (2) Any owner of an exempt homestead against whom a judgment has
10 been rendered and docketed entered in the judgment and lien docket, and any heir,
11 devisee or grantee of such the owner, or any mortgagee of such the homestead, may
12 proceed under s. 806.04 for declaratory relief if such the homestead is less than
13 \$40,000 in value and the owner of such the judgment shall fail, for 10 days after
14 demand, to execute a recordable release of such the homestead from the judgment
15 owner's judgment lien.

16 **SECTION 120.** 815.53 (1) of the statutes is amended to read:

17 815.53 (1) A certified copy of the ~~docket of the~~ creditor's judgment or of the
18 record of the creditor's mortgage.

19 **SECTION 121.** 815.62 of the statutes is amended to read:

20 **815.62 Lien, how preserved after execution sale; clerk's fee.** To preserve
21 the lien of the original judgment upon lands and subject them to sale on execution
22 under s. 815.61, the person aggrieved shall, within 20 days after the payment for
23 which he or she claims a contribution, file an affidavit with the clerk of ~~the~~ circuit
24 court in which the original judgment was rendered, stating the sum paid and his or
25 her claim to use the judgment for the reimbursement ~~thereof, and the~~ of the payment.

1 The clerk of circuit court shall enter in the margin of the judgment and lien docket
2 of the judgment, the sum so paid and that the judgment is claimed to be a lien to in
3 that amount. To preserve the lien upon property situated in some other a county
4 other than the county where the circuit court that rendered the judgment is located,
5 a similar affidavit and notice must shall be filed with the clerk of the circuit court for
6 that county and a like entry made upon the judgment and lien docket of the judgment
7 in that county. The clerk's fee of the clerk of circuit court for making the entry upon
8 the docket is prescribed in s. 814.61 (5).

9 **SECTION 122.** 815.63 of the statutes is amended to read:

10 **815.63 Sheriff's deed; writ of assistance.** Whenever title has been
11 perfected to any real estate sold on execution, or to any part or interest in the real
12 estate, and the defendant in execution, or any other person claiming under the
13 defendant by title accruing subsequently to the ~~docketing~~ entry of the judgment in
14 the judgment and lien docket upon which it the judgment was issued, shall be in
15 possession of that real estate or part or interest in that real estate, and, upon demand
16 of the person in whom ~~such~~ the title has been perfected, refuses to surrender the
17 possession, the person may apply to the court from which the execution issued, by
18 verified petition, for a writ of assistance to obtain possession. A copy of this petition,
19 with a notice of the time and place when and where the petition will be presented,
20 ~~must~~ shall be served upon the person against whom the writ is ~~prayed~~ issued at least
21 10 days before the petition is presented; ~~the.~~ The petition may be served as a
22 summons in an action in the circuit court. The court may direct ~~such~~ the writ to issue,
23 and the writ shall be executed and return made in the same manner as upon a sale
24 upon a judgment for foreclosure of a mortgage.

25 **SECTION 123.** 821.05 of the statutes is amended to read:

1 **821.05 Costs of certification.** Fees and costs shall be the same as in civil
2 appeals docketed before filed in the court of appeals and shall be equally divided
3 between the parties unless otherwise ordered by the certifying court in its order of
4 certification.

5 **SECTION 124.** 846.04 of the statutes is amended to read:

6 **846.04 Deficiency, judgment for.** The plaintiff may, in the plaintiff's
7 complaint, demand judgment for any deficiency ~~which~~ that may remain due the
8 plaintiff after sale of the mortgaged premises against every party who is personally
9 liable for the debt secured by the mortgage ~~and judgment.~~ Judgment may be
10 rendered for any ~~such~~ deficiency remaining after applying the proceeds of sale to the
11 amount due ~~may in such case be rendered.~~ Such. The judgment for deficiency shall
12 be ordered in the original judgment and separately rendered against the party liable
13 on or after the ~~coming in and~~ confirmation of the report of sale, ~~and be docketed.~~ The
14 judgment for deficiency shall be entered in the judgment and lien docket and
15 enforced as in other cases.

16 **SECTION 125.** 846.25 of the statutes is amended to read:

17 **846.25 Discharge after foreclosure.** After a mortgage has been foreclosed
18 by action and the judgment and costs have been paid and satisfaction of the mortgage
19 entered upon the ~~docket~~ court record, the clerk of circuit court, on request, shall sign
20 a certificate attesting to ~~such~~ those facts, which certificate is entitled to record.

21 **SECTION 126.** 879.43 (3) of the statutes is amended to read:

22 879.43 (3) (title) ~~DOCKET~~ ENTRY. Judgments may be docketed entered in the
23 judgment and lien docket in the office of the clerk of circuit court, upon the filing of
24 a certified transcript of the judgment.

25 **SECTION 127.** 879.43 (4) of the statutes is amended to read:

1 879.43 (4) LIEN. A judgment ~~when docketed is~~ entered in the judgment and lien
2 docket creates a lien upon the real estate of the debtor under s. 806.15.

3 **SECTION 128.** 943.60 (1) and (3) of the statutes are amended to read:

4 943.60 (1) Any person who submits for filing, ~~docketing~~ entering or recording
5 any lien, claim of lien, lis pendens, writ of attachment or any other instrument
6 relating to title in real or personal property, knowing the contents or any part of the
7 contents to be false, sham or frivolous, is guilty of a Class E felony.

8 (3) This section does not apply to a register of deeds or other government
9 employe who acts in the course of his or her official duties and files, ~~dockets~~ enters
10 or records any instrument relating to title on behalf of another person.

11 **SECTION 129.** 973.09 (3) (b) of the statutes is amended to read:

12 973.09 (3) (b) The department shall notify the sentencing court, any person to
13 whom unpaid restitution is owed and the district attorney of the status of the ordered
14 payments unpaid at least 90 days before the probation expiration date. If payment
15 as ordered has not been made, the court shall hold a probation review hearing prior
16 to the expiration date, unless the hearing is voluntarily waived by the probationer
17 with the knowledge that waiver may result in an extension of the probation period
18 or in a revocation of probation. If the court does not extend probation, it shall issue
19 a judgment for the unpaid restitution and direct the clerk of circuit court to file and
20 ~~docket a transcript of~~ enter the judgment in the judgment and lien docket, without
21 fee, unless it finds that the victim has already recovered a judgment against the
22 probationer for the damages covered by the restitution order. If the court issues a
23 judgment for the unpaid restitution, the court shall send to the person at his or her
24 last-known address written notification that a civil judgment has been issued for the

1 unpaid restitution. The judgment has the same force and effect as judgments
2 docketed entered under s. 806.10.

3 **SECTION 130. Effective dates.** This act takes effect on the day after
4 publication, except as follows:

5 (1) The treatment of sections 50.05 (15) (f) and 51.42 (3) (d) 12. f. of the statutes
6 takes effect on July 1, 1996.

7 (END)