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**Ways & Means Committee**

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**HB 2798**

**Brief Description:** Changing judicial stabilization trust account surcharges.

**Sponsors:** Representatives Hudgins, Pedersen and Darneille.

**Brief Summary of Bill**

- Increases the temporary surcharges on filing fees in superior and district courts by \$10.

**Hearing Date:** 3/1/12

**Staff:** Alex MacBain (786-7288).

**Background:**

Superior and district courts are authorized by statute to collect filing fees and other fees for court services. Revenue from superior court filing fees is split with 46 percent going to the state and the remainder going to the county and the county or regional law library. Revenue from district court filing fees is split with 32 percent going to the state and the remainder going to the county and the county or regional law library.

Legislation enacted in 2009 authorized temporary surcharges on filing fees in superior and district courts. Superior court filings are subject to a \$30 surcharge, except filings of an appeal from a court of limited jurisdiction, where the surcharge is \$20. District court filings are subject to a \$20 surcharge, except small claims filings, which are subject to a \$10 surcharge. Legislation enacted in 2011 extended the surcharges until June 30, 2013 and split the revenue from the surcharges between the state and the county collecting the fee, with 75 percent going to the state and 25 percent going to the county.

Local revenue going to the counties from the surcharges must be used to support local trial courts and court-related costs.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The state revenue from surcharges must be remitted to the State Treasurer for deposit into the Judicial Stabilization Trust Account (Account). Expenditures from the Account may only be used for the support of judicial branch agencies. During the 2011-13 biennium, an estimated \$9.2 million will be deposited into the Account. Funds from the Account are appropriated for expenditures in the Administrative Office of the Courts, the Office of Public Defense, and the Office of Civil Legal Aid.

**Summary of Bill:**

The temporary surcharges on filing fees in superior and district courts are increased by \$10, resulting in the following total surcharges:

- Superior court filings \$40:
- Filing an appeal from a court of limited jurisdiction \$30"
- District court filings \$30: and
- Small claims filings \$20

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.