
HOUSE BILL 1407

State of Washington

67th Legislature

2021 Regular Session

By Representative Volz

Read first time 01/28/21. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to fees of county officers; and amending RCW
2 36.18.016.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 36.18.016 and 2018 c 36 s 7 are each amended to read
5 as follows:

6 (1) Revenue collected under this section is not subject to
7 division under RCW 36.18.025 or 27.24.070.

8 (2)(a) For the filing of a petition for modification of a decree
9 of dissolution or paternity, within the same case as the original
10 action, and any party filing a counterclaim, cross-claim, or third-
11 party claim in any such action, a fee of thirty-six dollars must be
12 paid.

13 (b) The party filing the first or initial petition for
14 dissolution, legal separation, or declaration concerning the validity
15 of marriage shall pay, at the time and in addition to the filing fee
16 required under RCW 36.18.020, a fee of fifty-four dollars. The clerk
17 of the superior court shall transmit monthly forty-eight dollars of
18 the fifty-four dollar fee collected under this subsection to the
19 state treasury for deposit in the domestic violence prevention
20 account. The remaining six dollars shall be retained by the county
21 for the purpose of supporting community-based domestic violence

1 services within the county, except for five percent of the six
2 dollars, which may be retained by the court for administrative
3 purposes. On or before December 15th of each year, the county shall
4 report to the department of social and health services revenues
5 associated with this section and community-based domestic violence
6 services expenditures. The department of social and health services
7 shall develop a reporting form to be utilized by counties for uniform
8 reporting purposes.

9 (3) (a) The party making a demand for a jury of six in a civil
10 action shall pay, at the time, a fee of one hundred twenty-five
11 dollars; if the demand is for a jury of twelve, a fee of two hundred
12 fifty dollars. If, after the party demands a jury of six and pays the
13 required fee, any other party to the action requests a jury of
14 twelve, an additional one hundred twenty-five dollar fee will be
15 required of the party demanding the increased number of jurors.

16 (b) Upon conviction in criminal cases a jury demand charge of one
17 hundred twenty-five dollars for a jury of six, or two hundred fifty
18 dollars for a jury of twelve may be imposed as costs under RCW
19 10.46.190.

20 (4) For preparing a certified copy of an instrument on file or of
21 record in the clerk's office, for the first page or portion of the
22 first page, a fee of five dollars, and for each additional page or
23 portion of a page, a fee of one dollar must be charged. For
24 authenticating or exemplifying an instrument, a fee of two dollars
25 for each additional seal affixed must be charged. For preparing a
26 copy of an instrument on file or of record in the clerk's office
27 without a seal, a fee of fifty cents per page must be charged. When
28 copying a document without a seal or file that is in an electronic
29 format, a fee of twenty-five cents per page must be charged. For
30 copies made on a compact disc, an additional fee of twenty dollars
31 for each compact disc must be charged.

32 (5) For executing a certificate, with or without a seal, a fee of
33 two dollars must be charged.

34 (6) For a garnishee defendant named in an affidavit for
35 garnishment and for a writ of attachment, a fee of twenty dollars
36 must be charged.

37 (7) For filing a supplemental proceeding, a fee of twenty dollars
38 must be charged.

1 (8) For approving a bond, including justification on the bond, in
2 other than civil actions and probate proceedings, a fee of two
3 dollars must be charged.

4 (9) For the issuance of a certificate of qualification and a
5 certified copy of letters of administration, letters testamentary, or
6 letters of guardianship, there must be a fee of five dollars.

7 (10) For the preparation of a passport application, the clerk may
8 collect an execution fee as authorized by the federal government.

9 (11) For clerk's services such as performing historical searches,
10 compiling statistical reports, and conducting exceptional record
11 searches, the clerk may collect a fee not to exceed thirty dollars
12 per hour.

13 (12) For processing ex parte orders, the clerk (~~(may)~~) is
14 authorized to collect a fee of (~~(thirty dollars)~~) up to \$50.

15 (13) For duplicated recordings of court's proceedings there must
16 be a fee of ten dollars for each audiotape and twenty-five dollars
17 for each video or other electronic storage medium.

18 (14) For registration of land titles, Torrens Act, under RCW
19 65.12.780, a fee of twenty dollars must be charged.

20 (15) For the issuance of extension of judgment under RCW 6.17.020
21 and chapter 9.94A RCW, a fee of two hundred dollars must be charged.
22 When the extension of judgment is at the request of the clerk, the
23 two hundred dollar charge may be imposed as court costs under RCW
24 10.46.190.

25 (16) A facilitator surcharge of up to twenty dollars must be
26 charged as authorized under RCW 26.12.240.

27 (17) For filing an adjudication claim under RCW 90.03.180, a fee
28 of twenty-five dollars must be charged.

29 (18) For filing a claim of frivolous lien under RCW 60.04.081, a
30 fee of thirty-five dollars must be charged.

31 (19) For preparation of a change of venue, a fee of twenty
32 dollars must be charged by the originating court in addition to the
33 per page charges in subsection (4) of this section.

34 (20) A service fee of five dollars for the first page and one
35 dollar for each additional page must be charged for receiving faxed
36 documents, pursuant to Washington state rules of court, general rule
37 17.

38 (21) For preparation of clerk's papers under RAP 9.7, a fee of
39 fifty cents per page must be charged.

1 (22) For copies and reports produced at the local level as
2 permitted by RCW 2.68.020 and supreme court policy, a variable fee
3 must be charged.

4 (23) Investment service charge and earnings under RCW 36.48.090
5 must be charged.

6 (24) Costs for nonstatutory services rendered by clerk by
7 authority of local ordinance or policy must be charged.

8 (25) For filing a request for civil arbitration, a filing fee may
9 be assessed against the party filing a statement of arbitrability not
10 to exceed two hundred fifty dollars as established by authority of
11 local ordinance. Two hundred twenty dollars of this charge shall be
12 used to offset the cost of the civil arbitration program. Thirty
13 dollars of each fee collected under this subsection must be used for
14 indigent defense services.

15 (26) For filing a request for trial de novo of a civil
16 arbitration award, a fee not to exceed four hundred dollars as
17 established by authority of local ordinance must be charged.

18 (27) A public agency may not charge a fee to a law enforcement
19 agency, for preparation, copying, or mailing of certified copies of
20 the judgment and sentence, information, affidavit of probable cause,
21 and/or the notice of requirement to register, of a sex offender
22 convicted in a Washington court, when such records are necessary for
23 risk assessment, preparation of a case for failure to register, or
24 maintenance of a sex offender's registration file.

25 (28) For the filing of a will or codicil under the provisions of
26 chapter 11.12 RCW, a fee of twenty dollars must be charged.

27 (29) For the collection of an adult offender's unpaid legal
28 financial obligations, the clerk may impose an annual fee of up to
29 one hundred dollars, pursuant to RCW 9.94A.780.

30 (30) A surcharge of up to twenty dollars may be charged in
31 dissolution and legal separation actions as authorized by RCW
32 26.12.260.

33 The revenue to counties from the fees established in this section
34 shall be deemed to be complete reimbursement from the state for the
35 state's share of benefits paid to the superior court judges of the
36 state prior to July 24, 2005, and no claim shall lie against the
37 state for such benefits.

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