
HOUSE BILL 1026

State of Washington

56th Legislature

1999 Regular Session

By Representatives Sheahan, Constantine and Bush; by request of Board for Judicial Administration

Prefiled 12/31/98. Read first time 01/11/1999. Referred to Committee on Judiciary.

1 AN ACT Relating to court funding and improvements; amending RCW
2 43.08.250, 3.46.120, 3.50.100, 3.62.040, 3.62.060, 3.62.090, 27.24.070,
3 35.20.220, 36.18.020, 36.18.025, 46.63.110, 2.14.010, 2.14.030, and
4 2.56.030; reenacting and amending RCW 3.62.020; adding new sections to
5 chapter 2.28 RCW; adding new sections to chapter 43.330 RCW; creating
6 a new section; prescribing penalties; making appropriations; and
7 providing an effective date.

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

9 NEW SECTION. **Sec. 1.** A new section is added to chapter 2.28 RCW
10 to read as follows:

11 Each county that elects to participate in the court improvement act
12 of 1999 shall submit to the administrator for the courts a joint
13 resolution signed by the chair of the legislative body of the county
14 and by the presiding judges of the superior court and the district
15 court for the county. Such resolution must be submitted by September
16 1st of an odd-numbered year in order to be effective for the biennium
17 beginning July 1st of the following year.

18 Upon submission of a timely resolution, the state will appropriate
19 to the county an amount equal to the costs of trial court judicial

1 officers for superior and district courts pursuant to RCW 2.56.030(19).
2 The county in the resolution must agree not to use such funds to
3 supplant existing funding levels for court operations, not including
4 judicial salaries and benefits.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.28 RCW
6 to read as follows:

7 There is created an account in the custody of the state treasurer
8 to be known as the court improvement account. The office of the
9 administrator for the courts upon the direction of the board for
10 judicial administration shall maintain and administer the account, in
11 which shall be deposited all moneys received from the portion of
12 superior court filing fees imposed pursuant to RCW 36.18.020(3) and the
13 portion of district court filing fees imposed pursuant to RCW
14 3.62.060(1)(b) for the purposes of providing court improvements. The
15 legislature shall appropriate the funds in the account for the purposes
16 of court improvements in counties that have enacted a local option
17 resolution pursuant to section 1 of this act and appellate courts.
18 Counties receiving funds from this account must agree not to use such
19 funds to supplant existing funding levels for maintenance of the
20 courts, not including judicial salaries and benefits.

21 **Sec. 3.** RCW 43.08.250 and 1997 c 149 s 910 are each amended to
22 read as follows:

23 The money received by the state treasurer from fees, fines,
24 forfeitures, penalties, reimbursements or assessments by any court
25 organized under Title 3 or 35 RCW, or chapter 2.08 RCW, shall be
26 deposited in the public safety and education account which is hereby
27 created in the state treasury. The legislature shall appropriate the
28 funds in the account to promote traffic safety education, highway
29 safety, criminal justice training, crime victims' compensation,
30 judicial education, the judicial information system, civil
31 representation of indigent persons, winter recreation parking, and
32 state game programs. (~~During the fiscal biennium ending June 30,~~
33 ~~1999,~~) The legislature may appropriate moneys from the public safety
34 and education account for purposes of ((appellate)) indigent defense
35 and indigent juvenile dependency defense, jury improvements, the
36 criminal litigation unit of the attorney general's office, the
37 treatment alternatives to street crimes program, crime victims advocacy

1 programs, justice information network telecommunication planning,
2 sexual assault treatment, (~~operations of the office of administrator~~
3 ~~for the courts,~~) security in the common schools, criminal justice data
4 collection, and Washington state patrol criminal justice activities.

5 **Sec. 4.** RCW 3.46.120 and 1995 c 291 s 2 are each amended to read
6 as follows:

7 (1) All money received by the clerk of a municipal department
8 including penalties, fines, bail forfeitures, fees and costs shall be
9 paid by the clerk to the city treasurer.

10 (2) The city treasurer shall remit monthly (~~(thirty-two)~~) forty-
11 eight percent of the noninterest money received under this section,
12 other than for parking infractions, and certain costs to the state
13 treasurer. "Certain costs" as used in this subsection, means those
14 costs awarded to prevailing parties in civil actions under RCW 4.84.010
15 or 36.18.040, or those costs awarded against convicted defendants in
16 criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other
17 similar statutes if such costs are specifically designated as costs by
18 the court and are awarded for the specific reimbursement of costs
19 incurred by the state, county, city, or town in the prosecution of the
20 case, including the fees of defense counsel. Money remitted under this
21 subsection to the state treasurer shall be deposited as provided in RCW
22 43.08.250.

23 (3) The balance of the noninterest money received under this
24 section shall be retained by the city and deposited as provided by law.

25 (4) Penalties, fines, bail forfeitures, fees, and costs may accrue
26 interest at the rate of twelve percent per annum, upon assignment to a
27 collection agency. Interest may accrue only while the case is in
28 collection status.

29 (5) Interest retained by the court on penalties, fines, bail
30 forfeitures, fees, and costs shall be split twenty-five percent to the
31 state treasurer for deposit in the public safety and education account
32 as provided in RCW 43.08.250, twenty-five percent to the state
33 treasurer for deposit in the judicial information system account as
34 provided in RCW 2.68.020, twenty-five percent to the city general fund,
35 and twenty-five percent to the city general fund to fund local courts.

36 **Sec. 5.** RCW 3.50.100 and 1995 c 291 s 3 are each amended to read
37 as follows:

1 (1) Costs in civil and criminal actions may be imposed as provided
2 in district court. All fees, costs, fines, forfeitures and other money
3 imposed by any municipal court for the violation of any municipal or
4 town ordinances shall be collected by the court clerk and, together
5 with any other noninterest revenues received by the clerk, shall be
6 deposited with the city or town treasurer as a part of the general fund
7 of the city or town, or deposited in such other fund of the city or
8 town, or deposited in such other funds as may be designated by the laws
9 of the state of Washington.

10 (2) The city treasurer shall remit monthly (~~(thirty-two)~~) forty-
11 eight percent of the noninterest money received under this section,
12 other than for parking infractions, and certain costs to the state
13 treasurer. "Certain costs" as used in this subsection, means those
14 costs awarded to prevailing parties in civil actions under RCW 4.84.010
15 or 36.18.040, or those costs awarded against convicted defendants in
16 criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other
17 similar statutes if such costs are specifically designated as costs by
18 the court and are awarded for the specific reimbursement of costs
19 incurred by the state, county, city, or town in the prosecution of the
20 case, including the fees of defense counsel. Money remitted under this
21 subsection to the state treasurer shall be deposited as provided in RCW
22 43.08.250.

23 (3) The balance of the noninterest money received under this
24 section shall be retained by the city and deposited as provided by law.

25 (4) Penalties, fines, bail forfeitures, fees, and costs may accrue
26 interest at the rate of twelve percent per annum, upon assignment to a
27 collection agency. Interest may accrue only while the case is in
28 collection status.

29 (5) Interest retained by the court on penalties, fines, bail
30 forfeitures, fees, and costs shall be split twenty-five percent to the
31 state treasurer for deposit in the public safety and education account
32 as provided in RCW 43.08.250, twenty-five percent to the state
33 treasurer for deposit in the judicial information system account as
34 provided in RCW 2.68.020, twenty-five percent to the city general fund,
35 and twenty-five percent to the city general fund to fund local courts.

36 **Sec. 6.** RCW 3.62.020 and 1995 c 301 s 31 and 1995 c 291 s 5 are
37 each reenacted and amended to read as follows:

1 (1) Except as provided in subsection (4) of this section, all
2 costs, fees, fines, forfeitures and penalties assessed and collected in
3 whole or in part by district courts, except costs, fines, forfeitures
4 and penalties assessed and collected, in whole or in part, because of
5 the violation of city ordinances, shall be remitted by the clerk of the
6 district court to the county treasurer at least monthly, together with
7 a financial statement as required by the state auditor, noting the
8 information necessary for crediting of such funds as required by law.

9 (2) The county treasurer shall remit (~~(thirty-two)~~) forty-eight
10 percent of the noninterest money received under subsection (1) of this
11 section except certain costs and fees in civil cases collected pursuant
12 to RCW 3.62.060 to the state treasurer. The county treasurer shall
13 remit thirty-two percent of the fees in civil cases received pursuant
14 to RCW 3.62.060. "Certain costs" as used in this subsection, means
15 those costs awarded to prevailing parties in civil actions under RCW
16 4.84.010 or 36.18.040, or those costs awarded against convicted
17 defendants in criminal actions under RCW 10.01.160, 10.46.190, or
18 36.18.040, or other similar statutes if such costs are specifically
19 designated as costs by the court and are awarded for the specific
20 reimbursement of costs incurred by the state or county in the
21 prosecution of the case, including the fees of defense counsel. Money
22 remitted under this subsection to the state treasurer shall be
23 deposited as provided in RCW 43.08.250.

24 (3) The balance of the noninterest money received by the county
25 treasurer under subsection (1) of this section shall be deposited in
26 the county current expense fund.

27 (4) All money collected for county parking infractions shall be
28 remitted by the clerk of the district court at least monthly, with the
29 information required under subsection (1) of this section, to the
30 county treasurer for deposit in the county current expense fund.

31 (5) Penalties, fines, bail forfeitures, fees, and costs may accrue
32 interest at the rate of twelve percent per annum, upon assignment to a
33 collection agency. Interest may accrue only while the case is in
34 collection status.

35 (6) Interest retained by the court on penalties, fines, bail
36 forfeitures, fees, and costs shall be split twenty-five percent to the
37 state treasurer for deposit in the public safety and education account
38 as provided in RCW 43.08.250, twenty-five percent to the state
39 treasurer for deposit in the judicial information system account as

1 provided in RCW 2.68.020, twenty-five percent to the county current
2 expense fund, and twenty-five percent to the county current expense
3 fund to fund local courts.

4 **Sec. 7.** RCW 3.62.040 and 1995 c 291 s 6 are each amended to read
5 as follows:

6 (1) Except as provided in subsection (4) of this section, all
7 costs, fines, forfeitures and penalties assessed and collected, in
8 whole or in part, by district courts because of violations of city
9 ordinances shall be remitted by the clerk of the district court at
10 least monthly directly to the treasurer of the city wherein the
11 violation occurred.

12 (2) The city treasurer shall remit monthly (~~((thirty-two))~~) forty-
13 eight percent of the noninterest money received under this section,
14 other than for parking infractions and certain costs, to the state
15 treasurer. "Certain costs" as used in this subsection, means those
16 costs awarded to prevailing parties in civil actions under RCW 4.84.010
17 or 36.18.040, or those costs awarded against convicted defendants in
18 criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other
19 similar statutes if such costs are specifically designated as costs by
20 the court and are awarded for the specific reimbursement of costs
21 incurred by the state, county, city, or town in the prosecution of the
22 case, including the fees of defense counsel. Money remitted under this
23 subsection to the state treasurer shall be deposited as provided in RCW
24 43.08.250.

25 (3) The balance of the noninterest money received under this
26 section shall be retained by the city and deposited as provided by law.

27 (4) All money collected for city parking infractions shall be
28 remitted by the clerk of the district court at least monthly to the
29 city treasurer for deposit in the city's general fund.

30 (5) Penalties, fines, bail forfeitures, fees, and costs may accrue
31 interest at the rate of twelve percent per annum, upon assignment to a
32 collection agency. Interest may accrue only while the case is in
33 collection status.

34 (6) Interest retained by the court on penalties, fines, bail
35 forfeitures, fees, and costs shall be split twenty-five percent to the
36 state treasurer for deposit in the public safety and education account
37 as provided in RCW 43.08.250, twenty-five percent to the state
38 treasurer for deposit in the judicial information system account as

1 provided in RCW 2.68.020, twenty-five percent to the city general fund,
2 and twenty-five percent to the city general fund to fund local courts.

3 **Sec. 8.** RCW 3.62.060 and 1992 c 62 s 8 are each amended to read as
4 follows:

5 Clerks of the district courts shall collect the following fees for
6 their official services:

7 (1)(a) In any civil action commenced before or transferred to a
8 district court, the plaintiff shall, at the time of such commencement
9 or transfer, pay to such court a filing fee of thirty-one dollars plus
10 any surcharge authorized by RCW 7.75.035.

11 (b) In every county that has enacted a local option resolution
12 pursuant to section 1 of this act, the clerks of the district courts
13 shall collect an additional filing fee of fourteen dollars upon the
14 commencement or transfer of a civil action for which a filing fee is
15 collected under (a) of this subsection. Revenue collected under this
16 subsection (1)(b) shall be deposited in the court improvement account
17 created in section 2 of this act, and is exempt from the percentage
18 distribution remittance required in RCW 3.62.020(2).

19 (c) No party shall be compelled to pay to the court any other fees
20 or charges up to and including the rendition of judgment in the action
21 other than those listed.

22 (2) For issuing a writ of garnishment or other writ a fee of six
23 dollars.

24 (3) For filing a supplemental proceeding a fee of twelve dollars.

25 (4) For demanding a jury in a civil case a fee of fifty dollars to
26 be paid by the person demanding a jury.

27 (5) For preparing a transcript of a judgment a fee of six dollars.

28 (6) For certifying any document on file or of record in the clerk's
29 office a fee of five dollars.

30 (7) For preparing the record of a case for appeal to superior court
31 a fee of forty dollars including any costs of tape duplication as
32 governed by the rules of appeal for courts of limited jurisdiction
33 (RALJ).

34 (8) For duplication of part or all of the electronic tape or tapes
35 of a proceeding ten dollars per tape.

36 The fees or charges imposed under this section shall be allowed as
37 court costs whenever a judgment for costs is awarded.

1 **Sec. 9.** RCW 3.62.090 and 1997 c 331 s 4 are each amended to read
2 as follows:

3 (1) There shall be assessed and collected in addition to any fines,
4 forfeitures, or penalties assessed, other than for parking infractions
5 and for fines levied under RCW 46.61.5055, by all courts organized
6 under Title 3 or 35 RCW a public safety and education assessment equal
7 to ~~((sixty))~~ one hundred percent of such fines, forfeitures, or
8 penalties, which shall be remitted as provided in chapters 3.46, 3.50,
9 3.62, and 35.20 RCW. The assessment required by this section shall not
10 be suspended, reduced, or waived by the court.

11 (2) There shall be assessed and collected in addition to any
12 ~~((fines, forfeitures, or penalties assessed, other than for parking
13 infractions and for))~~ fines levied under RCW 46.61.5055~~((, and in
14 addition to the public safety and education assessment required under
15 subsection (1) of this section, by all courts organized under Title 3
16 or 35 RCW, an additional public safety and education assessment equal
17 to fifty percent of the public safety and education assessment required
18 under subsection (1) of this section, which shall be remitted to the
19 state treasurer and deposited as provided in RCW 43.08.250. The
20 additional assessment required by this subsection shall not be
21 suspended or waived by the court))~~ by all courts organized under Title
22 3 or 35 RCW a public safety and education assessment equal to sixty
23 percent of such fines, which shall be remitted as provided in chapters
24 3.46, 3.50, 3.62, and 35.20 RCW. The assessment required by this
25 section shall not be suspended, reduced, or waived by the court.

26 (3) This section does not apply to the fee imposed under RCW
27 43.63.110(6).

28 **Sec. 10.** RCW 27.24.070 and 1992 c 54 s 6 are each amended to read
29 as follows:

30 In each county pursuant to this chapter, the county treasurer shall
31 deposit in the county or regional law library fund a sum equal to
32 twelve dollars for every new probate or civil filing fee, including
33 appeals, collected by the clerk of the superior court and six dollars
34 for every fee collected for the commencement of a civil action in
35 district court for the support of the law library in that county or the
36 regional law library to which the county belongs: PROVIDED, That upon
37 a showing of need the twelve dollar contribution may be increased up to
38 fifteen dollars upon the request of the law library board of trustees

1 and with the approval of the county legislative body or bodies: AND
2 PROVIDED FURTHER, That in each county, upon a showing of need by the
3 law library board of trustees, a county legislative body or bodies may
4 impose an additional surcharge not to exceed the maximum amount
5 established in this section for every new probate or civil filing in
6 superior court and an additional surcharge not to exceed the maximum
7 amount established in this section for every fee collected for the
8 commencement of a civil action in district court for the purpose of
9 funding the county law library. Any surcharge imposed shall be
10 collected by the clerk of the court and remitted to the county
11 treasurer for deposit in the county or regional law library fund.

12 **Sec. 11.** RCW 35.20.220 and 1995 c 291 s 4 are each amended to read
13 as follows:

14 (1) The chief clerk, under the supervision and direction of the
15 court administrator of the municipal court, shall have the custody and
16 care of the books, papers and records of said court; he shall be
17 present by himself or deputy during the session of said court, and
18 shall have the power to swear all witnesses and jurors, and administer
19 oaths and affidavits, and take acknowledgments. He shall keep the
20 records of said court, and shall issue all process under his hand and
21 the seal of said court, and shall do and perform all things and have
22 the same powers pertaining to his office as the clerks of the superior
23 courts have in their office. He shall receive all fines, penalties and
24 fees of every kind, and keep a full, accurate and detailed account of
25 the same; and shall on each day pay into the city treasury all money
26 received for said city during the day previous, with a detailed account
27 of the same, and taking the treasurer's receipt therefor.

28 (2) The city treasurer shall remit monthly (~~((thirty-two))~~) forty-
29 eight percent of the noninterest money received under this section,
30 other than for parking infractions and certain costs to the state
31 treasurer. "Certain costs" as used in this subsection, means those
32 costs awarded to prevailing parties in civil actions under RCW 4.84.010
33 or 36.18.040, or those costs awarded against convicted defendants in
34 criminal actions under RCW 10.01.160, 10.46.190, or 36.18.040, or other
35 similar statutes if such costs are specifically designated as costs by
36 the court and are awarded for the specific reimbursement of costs
37 incurred by the state, county, city, or town in the prosecution of the
38 case, including the fees of defense counsel. Money remitted under this

1 subsection to the state treasurer shall be deposited as provided in RCW
2 43.08.250.

3 (3) The balance of the noninterest money received under this
4 section shall be retained by the city and deposited as provided by law.

5 (4) Penalties, fines, bail forfeitures, fees, and costs may accrue
6 interest at the rate of twelve percent per annum, upon assignment to a
7 collection agency. Interest may accrue only while the case is in
8 collection status.

9 (5) Interest retained by the court on penalties, fines, bail
10 forfeitures, fees, and costs shall be split twenty-five percent to the
11 state treasurer for deposit in the public safety and education account
12 as provided in RCW 43.08.250, twenty-five percent to the state
13 treasurer for deposit in the judicial information system account as
14 provided in RCW 2.68.020, twenty-five percent to the city general fund,
15 and twenty-five percent to the city general fund to fund local courts.

16 **Sec. 12.** RCW 36.18.020 and 1996 c 211 s 2 are each amended to read
17 as follows:

18 (1) Revenue collected under subsection (2) of this section is
19 subject to division with the state public safety and education account
20 under RCW 36.18.025 and with the county or regional law library fund
21 under RCW 27.24.070.

22 (2) Clerks of superior courts shall collect the following fees for
23 their official services:

24 (a) The party filing the first or initial paper in any civil
25 action, including, but not limited to an action for restitution,
26 adoption, or change of name, shall pay, at the time the paper is filed,
27 a fee of one hundred ten dollars except, in an unlawful detainer action
28 under chapter 59.18 or 59.20 RCW for which the plaintiff shall pay a
29 case initiating filing fee of thirty dollars, or in proceedings filed
30 under RCW 28A.225.030 alleging a violation of the compulsory attendance
31 laws where the petitioner shall not pay a filing fee. The thirty
32 dollar filing fee under this subsection for an unlawful detainer action
33 shall not include an order to show cause or any other order or judgment
34 except a default order or default judgment in an unlawful detainer
35 action.

36 (b) Any party, except a defendant in a criminal case, filing the
37 first or initial paper on an appeal from a court of limited

1 jurisdiction or any party on any civil appeal, shall pay, when the
2 paper is filed, a fee of one hundred ten dollars.

3 (c) For filing of a petition for judicial review as required under
4 RCW 34.05.514 a filing fee of one hundred ten dollars.

5 (d) For filing of a petition for unlawful harassment under RCW
6 10.14.040 a filing fee of one hundred ten dollars.

7 (e) For filing the notice of debt due for the compensation of a
8 crime victim under RCW 7.68.120(2)(a) a fee of one hundred ten dollars.

9 (f) In probate proceedings, the party instituting such proceedings,
10 shall pay at the time of filing the first paper therein, a fee of one
11 hundred ten dollars.

12 (g) For filing any petition to contest a will admitted to probate
13 or a petition to admit a will which has been rejected, or a petition
14 objecting to a written agreement or memorandum as provided in RCW
15 11.96.170, there shall be paid a fee of one hundred ten dollars.

16 (h) Upon conviction or plea of guilty, upon failure to prosecute an
17 appeal from a court of limited jurisdiction as provided by law, or upon
18 affirmance of a conviction by a court of limited jurisdiction, a
19 defendant in a criminal case shall be liable for a fee of one hundred
20 ten dollars.

21 (i) With the exception of demands for jury hereafter made and
22 garnishments hereafter issued, civil actions and probate proceedings
23 filed prior to midnight, July 1, 1972, shall be completed and governed
24 by the fee schedule in effect as of January 1, 1972: PROVIDED, That no
25 fee shall be assessed if an order of dismissal on the clerk's record be
26 filed as provided by rule of the supreme court.

27 (3) In every county that has enacted a local option resolution
28 pursuant to section 1 of this act, the clerk shall collect an
29 additional filing fee of thirty dollars upon the provision of any
30 service for which a filing fee is collected under subsection (2) of
31 this section. Revenue collected under this subsection shall be
32 deposited in the court improvement account created in section 2 of this
33 act.

34 (4) No fee shall be collected when a petition for relinquishment of
35 parental rights is filed pursuant to RCW 26.33.080 or for forms and
36 instructional brochures provided under RCW 26.50.030.

37 **Sec. 13.** RCW 36.18.025 and 1992 c 54 s 2 are each amended to read
38 as follows:

1 Forty-six percent of the money received from filing fees paid
2 pursuant to RCW 36.18.020(2) shall be transmitted by the county
3 treasurer each month to the state treasurer for deposit in the public
4 safety and education account established under RCW 43.08.250.

5 **Sec. 14.** RCW 46.63.110 and 1997 c 331 s 3 are each amended to read
6 as follows:

7 (1) A person found to have committed a traffic infraction shall be
8 assessed a monetary penalty. No penalty may exceed two hundred and
9 fifty dollars for each offense unless authorized by this chapter or
10 title.

11 (2) The supreme court shall prescribe by rule a schedule of
12 monetary penalties for designated traffic infractions. This rule shall
13 also specify the conditions under which local courts may exercise
14 discretion in assessing fines and penalties for traffic infractions.
15 The legislature respectfully requests the supreme court to adjust this
16 schedule every two years for inflation.

17 (3) There shall be a penalty of twenty-five dollars for failure to
18 respond to a notice of traffic infraction except where the infraction
19 relates to parking as defined by local law, ordinance, regulation, or
20 resolution or failure to pay a monetary penalty imposed pursuant to
21 this chapter. A local legislative body may set a monetary penalty not
22 to exceed twenty-five dollars for failure to respond to a notice of
23 traffic infraction relating to parking as defined by local law,
24 ordinance, regulation, or resolution. The local court, whether a
25 municipal, police, or district court, shall impose the monetary penalty
26 set by the local legislative body.

27 (4) Monetary penalties provided for in chapter 46.70 RCW which are
28 civil in nature and penalties which may be assessed for violations of
29 chapter 46.44 RCW relating to size, weight, and load of motor vehicles
30 are not subject to the limitation on the amount of monetary penalties
31 which may be imposed pursuant to this chapter.

32 (5) Whenever a monetary penalty is imposed by a court under this
33 chapter it is immediately payable. If the person is unable to pay at
34 that time the court may, in its discretion, grant an extension of the
35 period in which the penalty may be paid. If the penalty is not paid on
36 or before the time established for payment the court shall notify the
37 department of the failure to pay the penalty, and the department shall
38 suspend the person's driver's license or driving privilege until the

1 penalty has been paid and the penalty provided in subsection (3) of
2 this section has been paid.

3 (6) In addition to any other penalties imposed under this section
4 and not subject to the limitation of subsection (1) of this section, a
5 person found to have committed a traffic infraction shall be assessed
6 a fee of five dollars per infraction. Under no circumstances shall
7 this fee be reduced or waived. Revenue from this fee shall be
8 forwarded to the state treasurer for deposit in the emergency medical
9 services and trauma care system trust account under RCW 70.168.040.

10 (7) The legislature respectfully requests that the supreme court
11 provide by rule for an increase of five dollars to the penalty amount
12 imposed under subsection (2) of this section effective October 1, 1999.

13 **Sec. 15.** RCW 2.14.010 and 1988 c 109 s 12 are each amended to read
14 as follows:

15 (1) The purpose of this chapter is to provide a supplemental
16 retirement benefit to judges who are elected or appointed under chapter
17 2.04, 2.06, ((~~or~~)) 2.08, or 3.34 RCW and who are members of the public
18 employees' retirement system for their service as a judge.

19 (2) This chapter may be known and cited as the judicial retirement
20 account act.

21 **Sec. 16.** RCW 2.14.030 and 1988 c 109 s 14 are each amended to read
22 as follows:

23 The judicial retirement account plan is established for judges
24 appointed or elected under chapter 2.04, 2.06, ((~~or~~)) 2.08, or 3.34 RCW
25 and who are members of the public employees' retirement system for
26 their service as a judge.

27 **Sec. 17.** RCW 2.56.030 and 1997 c 41 s 2 are each amended to read
28 as follows:

29 The administrator for the courts shall, under the supervision and
30 direction of the chief justice:

31 (1) Examine the administrative methods and systems employed in the
32 offices of the judges, clerks, stenographers, and employees of the
33 courts and make recommendations, through the chief justice, for the
34 improvement of the same;

35 (2) Examine the state of the dockets of the courts and determine
36 the need for assistance by any court;

1 (3) Make recommendations to the chief justice relating to the
2 assignment of judges where courts are in need of assistance and carry
3 out the direction of the chief justice as to the assignments of judges
4 to counties and districts where the courts are in need of assistance;

5 (4) Collect and compile statistical and other data and make reports
6 of the business transacted by the courts and transmit the same to the
7 chief justice to the end that proper action may be taken in respect
8 thereto;

9 (5) Prepare and submit budget estimates of state appropriations
10 necessary for the maintenance and operation of the judicial system and
11 make recommendations in respect thereto;

12 (6) Collect statistical and other data and make reports relating to
13 the expenditure of public moneys, state and local, for the maintenance
14 and operation of the judicial system and the offices connected
15 therewith;

16 (7) Obtain reports from clerks of courts in accordance with law or
17 rules adopted by the supreme court of this state on cases and other
18 judicial business in which action has been delayed beyond periods of
19 time specified by law or rules of court and make report thereof to
20 supreme court of this state;

21 (8) Act as secretary of the judicial conference referred to in RCW
22 2.56.060;

23 (9) Submit annually, as of February 1st, to the chief justice, a
24 report of the activities of the administrator's office for the
25 preceding calendar year including activities related to courthouse
26 security;

27 (10) Administer programs and standards for the training and
28 education of judicial personnel;

29 (11) Examine the need for new superior court and district judge
30 positions under a weighted caseload analysis that takes into account
31 the time required to hear all the cases in a particular court and the
32 amount of time existing judges have available to hear cases in that
33 court. The results of the weighted caseload analysis shall be reviewed
34 by the board for judicial administration which shall make
35 recommendations to the legislature. It is the intent of the
36 legislature that weighted caseload analysis become the basis for
37 creating additional district court positions, and recommendations
38 should address that objective;

1 (12) Provide staff to the judicial retirement account plan under
2 chapter 2.14 RCW;

3 (13) Attend to such other matters as may be assigned by the supreme
4 court of this state;

5 (14) Within available funds, develop a curriculum for a general
6 understanding of child development, placement, and treatment resources,
7 as well as specific legal skills and knowledge of relevant statutes
8 including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules,
9 interviewing skills, and special needs of the abused or neglected
10 child. This curriculum shall be completed and made available to all
11 juvenile court judges, court personnel, and service providers and be
12 updated yearly to reflect changes in statutes, court rules, or case
13 law;

14 (15) Develop, in consultation with the entities set forth in RCW
15 2.56.150(3), a comprehensive state-wide curriculum for persons who act
16 as guardians ad litem under Title 13 or 26 RCW. The curriculum shall
17 be made available July 1, 1997, and include specialty sections on child
18 development, child sexual abuse, child physical abuse, child neglect,
19 clinical and forensic investigative and interviewing techniques, family
20 reconciliation and mediation services, and relevant statutory and legal
21 requirements. The curriculum shall be made available to all superior
22 court judges, court personnel, and all persons who act as guardians ad
23 litem;

24 (16) Develop a curriculum for a general understanding of crimes of
25 malicious harassment, as well as specific legal skills and knowledge of
26 RCW 9A.36.080, relevant cases, court rules, and the special needs of
27 malicious harassment victims. This curriculum shall be made available
28 to all superior court and court of appeals judges and to all justices
29 of the supreme court;

30 (17) Develop, in consultation with the criminal justice training
31 commission and the commissions established under chapters 43.113,
32 43.115, and 43.117 RCW, a curriculum for a general understanding of
33 ethnic and cultural diversity and its implications for working with
34 youth of color and their families. The curriculum shall be available
35 to all superior court judges and court commissioners assigned to
36 juvenile court, and other court personnel. Ethnic and cultural
37 diversity training shall be provided annually so as to incorporate
38 cultural sensitivity and awareness into the daily operation of juvenile
39 courts state-wide;

1 (18) Authorize the use of closed circuit television and other
2 electronic equipment in judicial proceedings. The administrator shall
3 promulgate necessary standards and procedures and shall provide
4 technical assistance to courts as required;

5 (19) Submit an annual report to the legislature on the cost to each
6 county for constitutionally mandated services of trial courts,
7 including salary and benefits of the authorized trial court judges,
8 criminal trial expert witness fees, jury costs, interpreter costs, and
9 indigent criminal defense costs.

10 NEW SECTION. Sec. 18. A new section is added to chapter 43.330
11 RCW to read as follows:

12 The extraordinary criminal justice assistance account is created in
13 the state treasury. Appropriations may be made from the general fund
14 or the public safety and education account into this account. Moneys
15 in the account may be spent only after appropriation and as authorized
16 by the legislature. Expenditures from the account may be used only to
17 reimburse the extraordinary costs associated with the prosecution,
18 indigent defense, jury impanelment, expert witnesses, interpreters,
19 incarceration, and other adjudication costs of aggravated murder cases.
20 Only the director of community, trade, and economic development or the
21 director's designee may authorize expenditures from the account.

22 NEW SECTION. Sec. 19. A new section is added to chapter 43.330
23 RCW to read as follows:

24 Counties may submit claims to the department of community, trade,
25 and economic development for reimbursement from the extraordinary
26 criminal justice assistance account.

27 (1) The department of community, trade, and economic development
28 shall develop procedures for processing the claims, for auditing the
29 veracity of the claims, and for prioritizing the claims.
30 Prioritization of the claims shall be based on, but not limited to,
31 such factors as disproportionate fiscal impact relative to the county
32 budget, efficient use of resources, and whether the costs are
33 extraordinary and could not be reasonably accommodated and anticipated
34 in the normal budget process.

35 (2) Before January 1 of each year, the department shall develop and
36 submit to the appropriate fiscal committees of the senate and house of
37 representatives a prioritized list of submitted claims that are

1 recommended for funding by the legislature from the extraordinary
2 criminal justice assistance account. The list shall include a summary
3 of each claim and the nature of the costs incurred.

4 (3) The department shall not financially obligate funds from the
5 extraordinary criminal justice assistance account before the
6 legislature has appropriated funds for a specific list of claims. The
7 legislature may remove projects from the list recommended by the
8 department. The legislature shall not change the order of the
9 priorities recommended for funding by the department.

10 NEW SECTION. **Sec. 20.** (1)(a) The sum of eight million four
11 hundred thousand dollars, or as much thereof as may be necessary, is
12 appropriated for the fiscal year ending June 30, 2000, from the public
13 safety and education account to the department of community, trade, and
14 economic development to contract with a qualified provider for civil
15 representation of indigent persons in accordance with the requirements
16 of RCW 43.08.260.

17 (b) The sum of eight million four hundred thousand dollars, or as
18 much thereof as may be necessary, is appropriated for the fiscal year
19 ending June 30, 2001, from the public safety and education account to
20 the department of community, trade, and economic development to
21 contract with a qualified provider for civil representation of indigent
22 persons in accordance with the requirements of RCW 43.08.260.

23 (2) The sum of two million five hundred thousand dollars, or as
24 much thereof as may be necessary, is appropriated for the fiscal year
25 ending June 30, 2001, from the public safety and education account to
26 the extraordinary criminal justice assistance account for payment of
27 claims under section 19 of this act.

28 (3) The sum of five million dollars, or as much thereof as may be
29 necessary, is appropriated for the fiscal year ending June 30, 2001,
30 from the public safety and education account to the office of public
31 defense for the purposes of providing defense representation for
32 indigent persons in juvenile dependency actions filed in superior
33 court.

34 (4)(a) The sum of one million dollars, or as much thereof as may be
35 necessary, is appropriated for the fiscal year ending June 30, 2000,
36 from the public safety and education account to the criminal justice
37 training commission for the purposes of additional training for law
38 enforcement personnel.

1 (b) The sum of one million nine hundred thousand dollars, or as
2 much thereof as may be necessary, is appropriated for the fiscal year
3 ending June 30, 2001, from the public safety and education account to
4 the criminal justice training commission for the purposes of additional
5 training for law enforcement personnel.

6 (5)(a) The sum of five million four hundred thousand dollars, or as
7 much thereof as may be necessary, is appropriated for the fiscal year
8 ending June 30, 2000, from the court improvement account to the office
9 of the administrator for the courts for the purposes stated in section
10 2 of this act.

11 (b) The sum of five million four hundred thousand dollars, or as
12 much thereof as may be necessary, is appropriated for the fiscal year
13 ending June 30, 2001, from the court improvement account to the office
14 of the administrator for the courts for the purposes stated in section
15 2 of this act.

16 NEW SECTION. **Sec. 21.** (1)(a) The sum of six million dollars, or
17 as much thereof as may be necessary, is appropriated for the fiscal
18 year ending June 30, 2000, from the general fund to the office of the
19 administrator for the courts for the purposes of funding operations not
20 funded by the public safety and education account.

21 (b) The sum of six million dollars, or as much thereof as may be
22 necessary, is appropriated for the fiscal year ending June 30, 2001,
23 from the general fund to the office of the administrator for the courts
24 for the purposes of funding operations not funded by the public safety
25 and education account.

26 (2)(a) The sum of twenty million dollars, or as much thereof as may
27 be necessary, is appropriated for the fiscal year ending June 30, 2000,
28 from the general fund to the board for judicial administration for the
29 purposes of reimbursing costs relating to trial court judges pursuant
30 to RCW 2.56.030(19) in counties that have enacted a local option
31 resolution pursuant to section 1 of this act.

32 (b) The sum of twenty million dollars, or as much thereof as may be
33 necessary, is appropriated for the fiscal year ending June 30, 2001,
34 from the general fund to the board for judicial administration for the
35 purposes of reimbursing costs relating to trial court judges pursuant
36 to RCW 2.56.030(19) in counties that have enacted a local option
37 resolution pursuant to section 1 of this act.

1 NEW SECTION. **Sec. 22.** This act shall be known and cited as the
2 court funding and improvement act of 1999.

3 NEW SECTION. **Sec. 23.** Sections 4 through 7, 9, and 11 of this act
4 take effect October 1, 1999.

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