

# FINAL BILL REPORT

## ESB 5013

---

---

C 417 L 09  
Synopsis as Enacted

**Brief Description:** Concerning fees collected by county clerks.

**Sponsors:** Senators Hargrove, Brandland, Fraser, Hatfield and Parlette.

**Senate Committee on Judiciary**  
**House Committee on Judiciary**

**Background:** The county clerk is an elected official and is the administrative and financial officer of the superior court. Many superior courts now have the ability to provide some services and documents electronically.

The fee for the issuance of a certificate of qualification and certified copies of letters of administration, testamentary, or guardianship is \$2. The fee for clerk services such as processing ex parte orders, performing historical searches, and compiling statistical reports may not exceed \$20. A service fee of \$3 is collected for receipt of the first page of a faxed document. These fees are not subject to division with the state.

County clerks are authorized to assess a monthly or annual fee for the cost of collections of unpaid legal financial obligations. The fee may not exceed the actual cost of collections. This fee is not subject to division with the state.

Currently, a fee is not collected by the clerk when a party files a creditor's claim in a probate proceeding.

**Summary:** The fee for issuance of a certificate of qualification and certified copies of letters of administration, testamentary, or guardianship is raised from \$2 to \$5. The cap on the fee for clerk services such as performing historical searches, and compiling statistical reports is raised from \$20 to \$30. The fee for processing ex parte orders is changed from an hourly fee to a flat fee of \$30. The service fee for receipt of the first page of a faxed document is raised from \$3 to \$5.

The assessment county clerks currently collect for legal financial obligations is codified in the statute that governs clerk service fees and is set at \$100 per year.

**Votes on Final Passage:**

---

*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.*

|        |    |    |                            |
|--------|----|----|----------------------------|
| Senate | 47 | 0  |                            |
| House  | 63 | 34 | (House amended)            |
|        |    |    | (Senate concurred in part) |
| House  | 60 | 36 | (House receded in part)    |
| Senate |    |    | (Senate concurred)         |

**Effective:** July 26, 2009