

# FINAL BILL REPORT

## SHB 1692

---

---

### PARTIAL VETO

C 292 L 95

Synopsis as Enacted

**Brief Description:** Clarifying clerks' fees.

**Sponsors:** House Committee on Law & Justice (originally sponsored by Representatives Padden, Costa, Scott and Appelwick).

**House Committee on Law & Justice**  
**Senate Committee on Law & Justice**

**Background:** Courts are authorized by statute to collect fees for the use of the court system. The amount of the fee varies with the type of action the party brings or the type of relief or information the party is seeking.

Clerks of superior courts are directed to collect specified fees. For example, the clerk of the superior court is to collect a fee of \$110 from the party filing the first or initial paper in any civil action or appeal. In addition, the clerk is to collect a fee of \$20 for the filing of a petition for modification of a decree of dissolution, \$2 for executing a certificate with or without a seal, and \$100 for a demand for a jury of 12.

Several other chapters of the Revised Code of Washington require the payment of fees for specified actions. For example, a fee not to exceed \$50 is required for a petition seeking a declaration of emancipation by a minor, and a fee of \$20 is required for a petition filed seeking an order of protection from domestic violence.

Many of the fees collected by clerks of the superior court are subject to division. The county must pay 46 percent of the fees collected for first filings in civil actions and appeals, for demands for juries, and for modifications of dissolution decrees to the State Treasurer for deposit in the public safety and education account. The county must also pay to the county regional law library fund a sum of \$12 for every new probate or civil filing fee, including appeals, and \$6 for every fee collected for the commencement of a civil action in district court.

**Summary:** Provisions of the code concerning fees collected by the clerk of the superior court are restructured under the following format: (1) a section is created which specifies the fees which are divided between the county, the state public safety and education fund, and the county or regional law library fund; (2) a new section is created specifying the fees which are divided between the county and the state public

safety and education account; (3) a new section is created specifying the fees which are divided between the county and the county or regional law library fund; and (4) a new section is created specifying which fees the county retains in whole.

A new section is created specifying that fees collected for appellate review and for all copies and reports produced by the Office of the Administrator for the Courts must be transmitted to the appropriate state court.

A \$20 fee for domestic violence protection orders is eliminated. The June 30, 1995, expiration date is removed from a \$5 fee on marriage licenses that funds child abuse prevention programs.

**Votes on Final Passage:**

House	95	0	
Senate	44	0	(Senate amended)
House	93	0	(House concurred)

**Effective:** July 23, 1995

**Partial Veto Summary:** The veto removes sections of the bill that were amended by another bill also passed during the 1995 session.