
SUBSTITUTE SENATE BILL 5072

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Kline, McCaslin, Kastama, Thibaudeau, Fraser, Patterson, Winsley, Kohl-Welles and Prentice)

READ FIRST TIME 01/30/01.

1 AN ACT Relating to jury service; amending RCW 2.36.150, 3.50.135,
2 and 35.20.090; adding a new section to chapter 2.36 RCW; and adding a
3 new section to chapter 3.02 RCW.

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

5 **Sec. 1.** RCW 2.36.150 and 1987 c 202 s 105 are each amended to read
6 as follows:

7 Jurors shall receive for each day's or partial day's attendance,
8 besides mileage at the rate determined under RCW 43.03.060, the
9 following compensation:

10 (1) Grand jurors ((may)) shall receive ((~~up to twenty-five dollars~~
11 ~~but in no case less than~~)) ten dollars for the first day or partial day
12 in attendance and shall receive forty-five dollars for each day or
13 partial day thereafter;

14 (2) Petit jurors ((may)) shall receive ((~~up to twenty-five dollars~~
15 ~~but in no case less than~~)) ten dollars for the first day or partial day
16 in attendance and shall receive forty-five dollars for each day or
17 partial day thereafter;

18 (3) Coroner's jurors ((may)) shall receive ((~~up to twenty-five~~
19 ~~dollars but in no case less than~~)) ten dollars for the first day or

1 partial day in attendance and shall receive forty-five dollars for each
2 day or partial day thereafter;

3 (4) District court jurors (~~(may)~~) shall receive (~~((up to twenty five~~
4 ~~dollars but in no case less than))~~) ten dollars(~~((: PROVIDED, That))~~) for
5 the first day or partial day in attendance and shall receive forty-five
6 dollars for each day or partial day thereafter;

7 (5) The county is responsible for the first ten dollars of juror
8 compensation for each day or partial day of jury service, and the state
9 shall reimburse the county for any additional juror compensation
10 required under this section.

11 However, a person excused from jury service at his or her own
12 request shall be allowed not more than a per diem and such mileage, if
13 any, as to the court shall seem just and equitable under all
14 circumstances(~~((: PROVIDED FURTHER, That))~~). The state shall fully
15 reimburse the county in which trial is held for all jury fees and
16 witness fees related to criminal cases which result from incidents
17 occurring within an adult or juvenile correctional institution(~~((: PROVIDED FURTHER, That the compensation paid jurors shall be determined~~
18 ~~by the county legislative authority and shall be uniformly applied~~
19 ~~within the county))~~).
20

21 **Sec. 2.** RCW 3.50.135 and 1984 c 258 s 126 are each amended to read
22 as follows:

23 In all civil cases, the plaintiff or defendant may demand a jury,
24 which shall consist of six citizens of the state who shall be impaneled
25 and sworn as in cases before district courts, or the trial may be by a
26 judge of the municipal court: PROVIDED, That no jury trial may be held
27 on a proceeding involving a traffic infraction. A party requesting a
28 jury shall pay to the court a fee which shall be the same as that for
29 a jury in district court. If more than one party requests a jury, only
30 one jury fee shall be collected by the court. The fee shall be
31 apportioned among the requesting parties. Each juror (~~(may)~~) shall
32 receive (~~((up to twenty five dollars but in no case less than))~~) ten
33 dollars for (~~((each))~~) the first day or partial day in attendance upon
34 the municipal court and shall receive forty-five dollars for each day
35 or partial day thereafter, and in addition thereto shall receive
36 mileage at the rate determined under RCW 43.03.060(~~((: PROVIDED, That~~
37 ~~the compensation paid jurors shall be determined by the legislative~~
38 ~~authority of the city and shall be uniformly applied))~~). The city is

1 responsible for the first ten dollars of juror compensation for each
2 day or partial day of jury service, and the state shall reimburse the
3 city for any additional juror compensation required under this section.
4 Jury trials shall be allowed in all criminal cases unless waived by the
5 defendant.

6 **Sec. 3.** RCW 35.20.090 and 1987 c 202 s 195 are each amended to
7 read as follows:

8 In all civil cases and criminal cases where jurisdiction is
9 concurrent with district courts as provided in RCW 35.20.250, within
10 the jurisdiction of the municipal court, the plaintiff or defendant may
11 demand a jury, which shall consist of six citizens of the state who
12 shall be impaneled and sworn as in cases before district courts, or the
13 trial may be by a judge of the municipal court: PROVIDED, That no jury
14 trial may be held on a proceeding involving a traffic infraction. A
15 defendant requesting a jury shall pay to the court a fee which shall be
16 the same as that for a jury in district court. Where there is more
17 than one defendant in an action and one or more of them requests a
18 jury, only one jury fee shall be collected by the court. Each juror
19 ~~((may)) shall receive ((up to twenty five dollars but in no case less~~
20 ~~than)) ten dollars for ((each)) the first day or partial day in
21 attendance upon the municipal court and shall receive forty-five
22 dollars for each day or partial day thereafter, and in addition thereto
23 shall receive mileage at the rate determined under RCW 43.03.060((÷
24 ~~PROVIDED, That the compensation paid jurors shall be determined by the~~
25 ~~legislative authority of the city and shall be uniformly applied)).~~
26 The city is responsible for the first ten dollars of juror compensation
27 for each day or partial day of jury service, and the state shall
28 reimburse the city for any additional juror compensation required under
29 this section. Trial by jury shall be allowed in criminal cases
30 involving violations of city ordinances commencing January 1, 1972,
31 unless such incorporated city affected by this chapter has made
32 provision therefor prior to January 1, 1972.~~

33 NEW SECTION. **Sec. 4.** A new section is added to chapter 2.36 RCW
34 to read as follows:

35 A superior court may establish a jury improvement fund for the
36 exclusive purpose of enhancing juror services and accommodations.
37 Jurors may contribute to a jury improvement fund by donating all or a

1 portion of their juror fees and expenses accrued under RCW 2.36.150.
2 The fund is to be administered by the court and is to be kept separate
3 from the county's general fund. The county shall not use the jury
4 improvement fund to supplant funding for the court.

5 NEW SECTION. **Sec. 5.** A new section is added to chapter 3.02 RCW
6 to read as follows:

7 A court of limited jurisdiction may establish a jury improvement
8 fund for the exclusive purpose of enhancing juror services and
9 accommodations. Jurors may contribute to a jury improvement fund by
10 donating all or a portion of their juror fees and expenses accrued
11 under RCW 2.36.150, 3.50.135, or 35.20.090. The fund is to be
12 administered by the court and is to be kept separate from the local
13 jurisdiction's general fund. The local jurisdiction shall not use the
14 jury improvement fund to supplant funding for the court.

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