

# SENATE BILL REPORT

## SB 5809

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As Reported by Senate Committee On:  
Law & Justice, March 21, 2017  
Ways & Means, March 29, 2017

**Title:** An act relating to judicial stabilization trust account surcharges.

**Brief Description:** Extending surcharges on court filing fees for deposit in the judicial stabilization trust account to July 1, 2021.

**Sponsors:** Senators Rivers and Pedersen; by request of Board For Judicial Administration.

**Brief History:**

**Committee Activity:** Law & Justice: 3/09/17, 3/21/17 [w/oRec-WM].  
Ways & Means: 3/28/17, 3/29/17 [DP, DNP, w/oRec].

**Brief Summary of Bill**

- Extends the expiration date for surcharges on court filing fees that are deposited into the Judicial Stabilization Trust Account until July 1, 2021.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** That it be referred without recommendation and be referred to Committee on Ways & Means.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Angel, Darneille, Frockt and Wilson.

**Staff:** Tim Ford (786-7423)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Braun, Chair; Brown, Vice Chair; Ranker, Ranking Minority Member; Rolfes, Assistant Ranking Minority Member, Operating Budget; Frockt, Assistant Ranking Minority Member, Capital Budget; Bailey, Becker, Billig, Carlyle, Conway, Darneille, Fain, Hasegawa, Keiser, Miloscia, Pedersen, Rivers and Zeiger.

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*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.*

**Minority Report:** Do not pass.

Signed by Senators Honeyford, Vice Chair, Capital Budget ; Schoesler and Warnick.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Padden.

**Staff:** Julie Murray (786-7711)

**Background:** Superior and district courts are authorized by statute to collect filing fees and other fees for court services. Filing fees are charged differently depending on the specific type of filing or pleading. These filings generally include, but are not limited to, the first or initial document in any civil action, and any party filing a counterclaim, cross-claim, or third-party claim.

In addition to the collection of filing fees, the clerk for the district court, superior court, or county must collect a surcharge on the filing fees. The surcharge amounts to either \$30 or \$40 per filing. Revenue from superior court and district court surcharges is split with 75 percent going to the state and 25 percent going to the county. The revenue remitted to the state for these surcharges is deposited in the Judicial Stabilization Trust Account.

The statutory authority to collect these surcharges expires on July 1, 2017.

**Summary of Bill:** The expiration date for surcharges on superior court and district court filings is extended until July 1, 2021.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** Yes.

**Effective Date:** The bill contains an emergency clause and takes effect on July 1, 2017.

**Staff Summary of Public Testimony (Law & Justice):** PRO: The fees that are charged support the state Administrative Office of the Courts, county public defense costs, and the state Office of Civil Legal Aid. The surcharge fees have existed since 2009 and revenue has decreased recently due to revenue sharing with the state in 2011, and fewer commercial filings. Superior courts use these fees for a variety of purposes including translating forms and updating equipment. The fee collection authority will expire in July 2017, unless this bill is passed, which will extend the fees to 2021.

**Persons Testifying (Law & Justice):** PRO: Senator Ann Rivers, Prime Sponsor; Sean O'Donnell, Judge; Brady Horenstein, Administrative Office of the Courts.

**Persons Signed In To Testify But Not Testifying (Law & Justice):** None.

**Staff Summary of Public Testimony (Ways & Means):** PRO: This is request legislation on behalf of the entire judicial branch. The surcharges are an important part of the funding

for the judicial branch and have been historically used to support the Administrative Office of the Courts, the Office of Public Defense and the Office of Civil Legal Aid. Encourage the passage of the legislation.

**Persons Testifying (Ways & Means):** PRO: Brady Horenstein, Administrative Office of the Courts.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** No one.