
HOUSE BILL 2617

State of Washington

52nd Legislature

1992 Regular Session

By Representatives Appelwick, Paris and Ludwig; by request of Governor Gardner

Read first time 01/22/92. Referred to Committee on Judiciary.

1 AN ACT Relating to superior court fees; amending RCW 36.18.020;
2 adding a new section to chapter 36.18 RCW; repealing RCW 36.18.025;
3 providing an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 36.18.020 and 1989 c 342 s 1 are each amended to read
6 as follows:

7 Clerks of superior courts shall collect the following fees for
8 their official services:

9 (1) The party filing the first or initial paper in any civil
10 action, including an action for restitution, or change of name, shall
11 pay, at the time said paper is filed, a fee of (~~seventy-eight~~) one
12 hundred dollars except in proceedings filed under RCW 26.50.030 or
13 49.60.227 where the petitioner shall pay a filing fee of twenty
14 dollars, or an unlawful detainer action under chapter 59.18 or 59.20

1 RCW where the plaintiff shall pay a filing fee of thirty dollars. If
2 the defendant serves or files an answer to an unlawful detainer
3 complaint under chapter 59.18 or 59.20 RCW, the plaintiff shall pay,
4 prior to proceeding with the unlawful detainer action, an additional
5 forty-eight dollars which shall be considered part of the filing fee.
6 The thirty dollar filing fee under this subsection for an unlawful
7 detainer action shall not include an order to show cause or any other
8 order or judgment except a default order or default judgment in an
9 unlawful detainer action.

10 (2) Any party, except a defendant in a criminal case, filing the
11 first or initial paper on an appeal from a court of limited
12 jurisdiction or any party on any civil appeal, shall pay, when said
13 paper is filed, a fee of (~~seventy-eight~~) one hundred dollars.

14 (3) The party filing a transcript or abstract of judgment or
15 verdict from a United States court held in this state, or from the
16 superior court of another county or from a district court in the county
17 of issuance, shall pay at the time of filing, a fee of fifteen dollars.

18 (4) For the filing of a tax warrant by the department of revenue of
19 the state of Washington, a fee of five dollars shall be paid.

20 (5) For the filing of a petition for modification of a decree of
21 dissolution, a fee of twenty dollars shall be paid.

22 (6) The party filing a demand for jury of six in a civil action,
23 shall pay, at the time of filing, a fee of (~~twenty-five~~) fifty
24 dollars; if the demand is for a jury of twelve the fee shall be
25 (~~fifty~~) one hundred dollars. If, after the party files a demand for
26 a jury of six and pays the required fee, any other party to the action
27 requests a jury of twelve, an additional (~~twenty-five~~) fifty-dollar
28 fee will be required of the party demanding the increased number of
29 jurors.

1 (7) For filing any paper, not related to or a part of any
2 proceeding, civil or criminal, or any probate matter, required or
3 permitted to be filed in the clerk's office for which no other charge
4 is provided by law, or for filing a petition, written agreement, or
5 memorandum as provided in RCW 11.96.170, the clerk shall collect two
6 dollars.

7 (8) For preparing, transcribing or certifying any instrument on
8 file or of record in the clerk's office, with or without seal, for the
9 first page or portion thereof, a fee of two dollars, and for each
10 additional page or portion thereof, a fee of one dollar. For
11 authenticating or exemplifying any instrument, a fee of one dollar for
12 each additional seal affixed.

13 (9) For executing a certificate, with or without a seal, a fee of
14 two dollars shall be charged.

15 (10) For each garnishee defendant named in an affidavit for
16 garnishment and for each writ of attachment, a fee of five dollars
17 shall be charged.

18 (11) For approving a bond, including justification thereon, in
19 other than civil actions and probate proceedings, a fee of two dollars
20 shall be charged.

21 (12) In probate proceedings, the party instituting such
22 proceedings, shall pay at the time of filing the first paper therein,
23 a fee of (~~seventy-eight~~) one hundred dollars: PROVIDED, HOWEVER, A
24 fee of two dollars shall be charged for filing a will only, when no
25 probate of the will is contemplated. Except as provided for in
26 subsection (13) of this section a fee of two dollars shall be charged
27 for filing a petition, written agreement, or memorandum as provided in
28 RCW 11.96.170.

29 (13) For filing any petition to contest a will admitted to probate
30 or a petition to admit a will which has been rejected, or a petition

1 objecting to a written agreement or memorandum as provided in RCW
2 11.96.170, there shall be paid a fee of (~~seventy-eight~~) one hundred
3 dollars.

4 (14) For the issuance of each certificate of qualification and each
5 certified copy of letters of administration, letters testamentary or
6 letters of guardianship there shall be a fee of two dollars.

7 (15) For the preparation of a passport application there shall be
8 a fee of four dollars.

9 (16) For searching records for which a written report is issued
10 there shall be a fee of eight dollars per hour.

11 (17) Upon conviction or plea of guilty, upon failure to prosecute
12 an appeal from a court of limited jurisdiction as provided by law, or
13 upon affirmance of a conviction by a court of limited jurisdiction, a
14 defendant in a criminal case shall be liable for a fee of seventy
15 dollars.

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

22 (19) No fee shall be collected when a petition for relinquishment
23 of parental rights is filed pursuant to RCW 26.33.080 or for forms and
24 instructional brochures provided under RCW 26.50.030.

25 Forty-seven percent of the money received from filing fees paid
26 pursuant to this section shall be transmitted by the county treasurer
27 each month to the state treasurer for deposit in the public safety and
28 education account established under RCW 43.08.250.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.18 RCW
2 to read as follows:

3 The court may waive the filing fees under RCW 36.18.020 (1) and (2)
4 upon affidavit by a party that the party is unable to pay the fee due
5 to financial hardship.

6 NEW SECTION. **Sec. 3.** RCW 36.18.025 and 1985 c 389 s 9, 1984
7 c 258 s 322, & 1972 ex.s. c 20 s 2 are each repealed.

8 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
9 preservation of the public peace, health, or safety, or support of the
10 state government and its existing public institutions, and shall take
11 effect June 1, 1992.