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SENATE BILL 6394

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State of Washington                      52nd Legislature                      1992 Regular Session

By Senators Vognild and Nelson

Read first time 01/28/92. Referred to Committee on Law & Justice.

1            AN ACT Relating to superior court fees; and amending RCW 36.18.020.

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

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

5            Clerks of superior courts shall collect the following fees for  
6 their official services:

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

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

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

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

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

19 (5) For the filing of a petition for modification of a decree of  
20 dissolution in the court of original jurisdiction, a fee of twenty  
21 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 dollars; if the~~  
24 ~~demand is for a jury of twelve the fee shall be fifty dollars))~~) shall  
25 pay, at the time of making the demand, an initial amount equal to one  
26 daily jury fee. The daily jury fee shall be sixty dollars for a jury  
27 of six and one hundred twenty dollars for a jury of twelve. When the  
28 jury is no longer needed, the party filing the demand for a jury must  
29 pay an additional fee equal to the daily jury fee multiplied by the  
30 number of days the jury was required. If, after the party files a

1 demand for a jury of six and pays the required fee, any other party to  
2 the action requests a jury of twelve, ~~((an))~~ the additional ~~((twenty-~~  
3 ~~five-dollar))~~ fee will be ~~((required-of))~~ paid by the party demanding  
4 the increased number of jurors.

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

11 (8) For copying an instrument on file or of record in the clerk's  
12 office, a fee of one dollar per page. For ~~((preparing, transcribing~~  
13 ~~or))~~ ~~certifying any instrument on file or of record in the clerk's~~  
14 ~~office, with or without seal, ((for the first page or portion~~  
15 ~~thereof,))~~ a fee of ~~((two))~~ three dollars~~((, and for each additional~~  
16 ~~page or portion thereof, a fee of one dollar))~~. For authenticating or  
17 exemplifying any instrument, a fee of ~~((one))~~ three dollars for each  
18 additional seal affixed.

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

21 (10) For each garnishee defendant named in an affidavit for  
22 garnishment and for each writ of attachment, a fee of ~~((five))~~ twenty  
23 dollars shall be charged.

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

27 (12) In probate proceedings, the party instituting such  
28 proceedings, shall pay at the time of filing the first paper therein,  
29 a fee of ~~((seventy-eight))~~ one hundred dollars~~((:—PROVIDED,~~  
30 ~~HOWEVER,))~~. ~~A fee of ((two))~~ twenty dollars shall be charged for

1 filing a will only, when no probate of the will is contemplated.  
2 Except as provided for in subsection (13) of this section a fee of  
3 ((two)) twenty dollars shall be charged for filing a petition, written  
4 agreement, or memorandum as provided in RCW 11.96.170.

5 (13) For filing any petition to contest a will admitted to probate  
6 or a petition to admit a will which has been rejected, or a petition  
7 objecting to a written agreement or memorandum as provided in RCW  
8 11.96.170, there shall be paid a fee of ((seventy-eight)) one hundred  
9 dollars.

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

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

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

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

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

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

1        (20) For filing a document with the court for a motion or motions,  
2 a fee of ten dollars shall be charged.