

2 **SSB 5528 - H COMM AMD ADOPTED AS AMENDED 4-15-93**

3 By Committee on Judiciary

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 36.18.020 and 1992 c 54 s 1 are each amended to read
8 as follows:

9 Clerks of superior courts shall collect the following fees for
10 their official services:

11 (1) The party filing the first or initial paper in any civil
12 action, including an action for restitution, or change of name, shall
13 pay, at the time said paper is filed, a fee of one hundred ten dollars
14 except in proceedings filed under RCW 26.50.030 or 49.60.227 where the
15 petitioner shall pay a filing fee of twenty dollars, or an unlawful
16 detainer action under chapter 59.18 or 59.20 RCW where the plaintiff
17 shall pay a filing fee of thirty dollars. If the defendant serves or
18 files an answer to an unlawful detainer complaint under chapter 59.18
19 or 59.20 RCW, the plaintiff shall pay, prior to proceeding with the
20 unlawful detainer action, an additional eighty dollars which shall be
21 considered part of the filing fee. The thirty dollar filing fee under
22 this subsection for an unlawful detainer action shall not include an
23 order to show cause or any other order or judgment except a default
24 order or default judgment in an unlawful detainer action.

25 (2) Any party, except a defendant in a criminal case, filing the
26 first or initial paper on an appeal from a court of limited
27 jurisdiction or any party on any civil appeal, shall pay, when said
28 paper is filed, a fee of one hundred ten dollars.

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

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

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

1 (6) The party filing a demand for jury of six in a civil action,
2 shall pay, at the time of filing, a fee of fifty dollars; if the demand
3 is for a jury of twelve the fee shall be one hundred dollars. If,
4 after the party files a demand for a jury of six and pays the required
5 fee, any other party to the action requests a jury of twelve, an
6 additional fifty-dollar fee will be required of the party demanding the
7 increased number of jurors.

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

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

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

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

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

28 (12) In probate proceedings, the party instituting such
29 proceedings, shall pay at the time of filing the first paper therein,
30 a fee of one hundred ten dollars: PROVIDED, HOWEVER, A fee of ~~((two))~~
31 twenty dollars shall be charged for filing a will only, when no probate
32 of the will is contemplated. Except as provided for in subsection (13)
33 of this section a fee of two dollars shall be charged for filing a
34 petition, written agreement, or memorandum as provided in RCW
35 11.96.170.

36 (13) For filing any petition to contest a will admitted to probate
37 or a petition to admit a will which has been rejected, or a petition
38 objecting to a written agreement or memorandum as provided in RCW
39 11.96.170, there shall be paid a fee of one hundred ten dollars.

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

4 (15) For the preparation of a passport application (~~((there shall be
5 a fee of four dollars))~~) the clerk may collect an execution fee as
6 authorized by the federal government.

7 (16) For (~~((searching records for which a written report is issued
8 there shall be a fee of eight dollars per hour))~~) clerks' special
9 services such as processing ex parte orders by mail, performing
10 historical searches, compiling statistical reports, and conducting
11 exceptional record searches the clerk may collect a fee not to exceed
12 twenty dollars per hour or portion of an hour.

13 (17) For duplicated recordings of court's proceedings there shall
14 be a fee of ten dollars for each audio tape and twenty-five dollars for
15 each video tape.

16 (~~((17))~~) (18) Upon conviction or plea of guilty, upon failure to
17 prosecute an appeal from a court of limited jurisdiction as provided by
18 law, or upon affirmance of a conviction by a court of limited
19 jurisdiction, a defendant in a criminal case shall be liable for a fee
20 of one hundred ten dollars.

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

27 (~~((19))~~) (20) No fee shall be collected when a petition for
28 relinquishment of parental rights is filed pursuant to RCW 26.33.080 or
29 for forms and instructional brochures provided under RCW 26.50.030.

30 NEW SECTION. Sec. 2. A new section is added to chapter 26.12 RCW
31 to read as follows:

32 A county may create a courthouse facilitator program to provide
33 basic services to pro se litigants in family law cases. The
34 legislative authority of any county may impose user fees or may impose
35 a surcharge of up to ten dollars on only those superior court cases
36 filed under Title 26 RCW, or both, to pay for the expenses of the
37 courthouse facilitator program. Fees collected under this section
38 shall be collected and deposited in the same manner as other county

1 funds are collected and deposited, and shall be maintained in a
2 separate account to be used as provided in this section."

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