

2 **2SSB 5439** - S AMD TO S AMD (S-2626.1/95) - 256  
3 By Senators McAuliffe and Hargrove

4 ADOPTED 3/15/95

5 On page 51, after line 17 of the amendment, insert the following:

6 "Sec. 53. RCW 36.18.020 and 1993 c 435 s 1 are each amended to  
7 read as follows:

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

10 (1) The party filing the first or initial paper in any civil  
11 action, including an action for restitution, or change of name, shall  
12 pay, at the time said paper is filed, a fee of one hundred ten dollars  
13 except in proceedings filed under RCW 26.50.030 or 49.60.227 where the  
14 petitioner shall pay a filing fee of twenty dollars, or in proceedings  
15 filed under RCW 28A.225.030 alleging a violation of the compulsory  
16 attendance laws where the petitioner shall not pay a filing fee, or an  
17 unlawful detainer action under chapter 59.18 or 59.20 RCW where the  
18 plaintiff shall pay a filing fee of thirty dollars. If the defendant  
19 serves or files an answer to an unlawful detainer complaint under  
20 chapter 59.18 or 59.20 RCW, the plaintiff shall pay, prior to  
21 proceeding with the unlawful detainer action, an additional eighty  
22 dollars which shall be considered part of the filing fee. The thirty  
23 dollar filing fee under this subsection for an unlawful detainer action  
24 shall not include an order to show cause or any other order or judgment  
25 except a default order or default judgment in an unlawful detainer  
26 action.

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

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

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

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

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

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

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

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

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

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

30 (12) In probate proceedings, the party instituting such  
31 proceedings, shall pay at the time of filing the first paper therein,  
32 a fee of one hundred ten dollars: PROVIDED, HOWEVER, A fee of twenty  
33 dollars shall be charged for filing a will only, when no probate of the  
34 will is contemplated. Except as provided for in subsection (13) of  
35 this section a fee of two dollars shall be charged for filing a  
36 petition, written agreement, or memorandum as provided in RCW  
37 11.96.170.

38 (13) For filing any petition to contest a will admitted to probate  
39 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 one hundred ten dollars.

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

6 (15) For the preparation of a passport application the clerk may  
7 collect an execution fee as authorized by the federal government.

8 (16) For clerks' special services such as processing ex parte  
9 orders by mail, performing historical searches, compiling statistical  
10 reports, and conducting exceptional record searches the clerk may  
11 collect a fee not to exceed twenty dollars per hour or portion of an  
12 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 (18) Upon conviction or plea of guilty, upon failure to prosecute  
17 an appeal from a court of limited jurisdiction as provided by law, or  
18 upon affirmance of a conviction by a court of limited jurisdiction, a  
19 defendant in a criminal case shall be liable for a fee of one hundred  
20 ten dollars.

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

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

30 Renumber the remaining sections consecutively and correct any  
31 internal references accordingly.

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34 ADOPTED 3/15/95

35 On page 55, line 28 of the title amendment, after "28A.225.030,"

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1 insert "36.18.020,"
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