

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2754

Chapter 338, Laws of 2002

57th Legislature
2002 Regular Session

MANDATORY ARBITRATION--FILING FEES

EFFECTIVE DATE: 6/13/02

Passed by the House February 18, 2002
Yeas 88 Nays 9

FRANK CHOPP
**Speaker of the House of
Representatives**

Passed by the Senate March 4, 2002
Yeas 44 Nays 3

BRAD OWEN
President of the Senate

Approved April 3, 2002

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2754** as passed by the House of Representatives and the Senate on the dates hereon set forth.

CYNTHIA ZEHNDER
Chief Clerk

FILED

April 3, 2002 - 10:46 a.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2754

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature 2002 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Lantz, Esser, Dickerson, Jarrett, Lysen and Kagi)

Read first time 02/08/2002. Referred to Committee on .

1 AN ACT Relating to mandatory arbitration; and amending RCW
2 7.06.010, 36.18.016, and 7.36.250.

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

4 **Sec. 1.** RCW 7.06.010 and 1991 c 363 s 7 are each amended to read
5 as follows:

6 In counties with a population of more than one hundred fifty
7 thousand, mandatory arbitration of civil actions under this chapter
8 shall be required. In counties with a population of ((seventy thousand
9 or more)) one hundred fifty thousand or less, the superior court of the
10 county, by majority vote of the judges thereof, or the county
11 legislative authority may authorize mandatory arbitration of civil
12 actions under this chapter. ((In all other counties, the superior
13 court of the county, by a majority vote of the judges thereof, may
14 authorize mandatory arbitration of civil actions under this chapter.))

15 **Sec. 2.** RCW 36.18.016 and 2001 c 146 s 2 are each amended to read
16 as follows:

17 (1) Revenue collected under this section is not subject to division
18 under RCW 36.18.025 or 27.24.070.

1 (2) For the filing of a petition for modification of a decree of
2 dissolution or paternity, within the same case as the original action,
3 a fee of twenty dollars must be paid.

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

11 (b) Upon conviction in criminal cases a jury demand charge of fifty
12 dollars for a jury of six, or one hundred dollars for a jury of twelve
13 may be imposed as costs under RCW 10.46.190.

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

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

22 (6) For a garnishee defendant named in an affidavit for garnishment
23 and for a writ of attachment, a fee of twenty dollars must be charged.

24 (7) For approving a bond, including justification on the bond, in
25 other than civil actions and probate proceedings, a fee of two dollars
26 must be charged.

27 (8) For the issuance of a certificate of qualification and a
28 certified copy of letters of administration, letters testamentary, or
29 letters of guardianship, there must be a fee of two dollars.

30 (9) For the preparation of a passport application, the clerk may
31 collect an execution fee as authorized by the federal government.

32 (10) For clerk's services such as processing ex parte orders,
33 performing historical searches, compiling statistical reports, and
34 conducting exceptional record searches, the clerk may collect a fee not
35 to exceed twenty dollars per hour or portion of an hour.

36 (11) For duplicated recordings of court's proceedings there must be
37 a fee of ten dollars for each audio tape and twenty-five dollars for
38 each video tape.

1 (12) For the filing of oaths and affirmations under chapter 5.28
2 RCW, a fee of twenty dollars must be charged.

3 (13) For filing a disclaimer of interest under RCW 11.86.031(4), a
4 fee of two dollars must be charged.

5 (14) For registration of land titles, Torrens Act, under RCW
6 65.12.780, a fee of five dollars must be charged.

7 (15) For the issuance of extension of judgment under RCW 6.17.020
8 and chapter 9.94A RCW, a fee of one hundred ten dollars must be
9 charged.

10 (16) A facilitator surcharge of ten dollars must be charged as
11 authorized under RCW 26.12.240.

12 (17) For filing a water rights statement under RCW 90.03.180, a fee
13 of twenty-five dollars must be charged.

14 (18) A service fee of three dollars for the first page and one
15 dollar for each additional page must be charged for receiving faxed
16 documents, pursuant to Washington state rules of court, general rule
17 17.

18 (19) For preparation of clerk's papers under RAP 9.7, a fee of
19 fifty cents per page must be charged.

20 (20) For copies and reports produced at the local level as
21 permitted by RCW 2.68.020 and supreme court policy, a variable fee must
22 be charged.

23 (21) Investment service charge and earnings under RCW 36.48.090
24 must be charged.

25 (22) Costs for nonstatutory services rendered by clerk by authority
26 of local ordinance or policy must be charged.

27 (23) For filing a request for mandatory arbitration, a filing fee
28 may be assessed against the party filing a statement of arbitrability
29 not to exceed ((one)) two hundred twenty dollars as established by
30 authority of local ordinance ((and approved by a vote of the people if
31 it is determined by a court of competent jurisdiction that such a vote
32 is required by chapter 1, Laws of 2000 (Initiative Measure No. 695))).
33 This charge shall be used solely to offset the cost of the mandatory
34 arbitration program.

35 (24) For filing a request for trial de novo of an arbitration
36 award, a fee not to exceed two hundred fifty dollars as established by
37 authority of local ordinance must be charged.

1 **Sec. 3.** RCW 7.36.250 and 1947 c 256 s 1 are each amended to read
2 as follows:

3 Any person entitled to prosecute a writ of habeas corpus who, by
4 reason of poverty is unable to pay the costs of such proceeding or give
5 security therefor, may file in the court having original jurisdiction
6 of the proceeding an affidavit setting forth such facts and that he or
7 she believes himself or herself to be entitled to the redress sought.
8 Upon the filing of such an affidavit the court may, if satisfied that
9 the proceeding or appeal is instituted or taken in good faith, order
10 that such proceeding, including appeal, may be prosecuted without
11 prepayment of fees or costs or the giving of security therefor. This
12 section also applies to filing fees assessed under RCW 36.18.016.

Passed the House February 18, 2002.

Passed the Senate March 4, 2002.

Approved by the Governor April 3, 2002.

Filed in Office of Secretary of State April 3, 2002.