

HOUSE BILL REPORT

SSB 6527

As Passed House:

March 3, 2004

Title: An act relating to attorney fees.

Brief Description: Increasing the statutory rate for attorney fees.

Sponsors: By Senate Committee on Judiciary (originally sponsored by Senators Johnson, Berkey, Esser and Sheahan).

Brief History:

Committee Activity:

Judiciary: 2/26/04, 2/27/04 [DP].

Floor Activity:

Passed House: 3/3/04, 96-0.

Brief Summary of Substitute Bill

- Raises statutory attorney fees for civil actions from \$125 to \$200.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

Staff: Trudes Tango Hutcheson (786-7384).

Background:

Generally, the prevailing party in a civil lawsuit is entitled to recover the costs of suit. "Costs" include filing and service fees, reasonable expenses incurred in obtaining reports and records, and a statutory attorney's fee of \$125.

The Legislature increased the statutory attorney's fee for cases in superior court, the court of appeals, and the supreme court in 1985 (from \$100 to \$125). Statutory attorney's fee for cases in district court was increased from \$50 to \$125 in 1993.

Summary of Bill:

For civil cases in district and superior court, the court of appeals, and the supreme court, the statutory attorney's fee is raised from \$125 to \$200. If a district court judgment, exclusive of costs, is over \$50, but less than \$200, the statutory attorney's fee remains \$125.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: It has been many years since the statutory attorney fee was raised. The fee does not cover what it actually costs for an attorney to bring a case. There were concerns with the lower end of judgments, so the bill allows the fee to remain \$125 when the judgment is under \$200 in district court.

Testimony Against: None.

Persons Testifying: Kevin Underwood, Washington Collectors Association.

Persons Signed In To Testify But Not Testifying: None.