
HOUSE BILL 2330

State of Washington

58th Legislature

2004 Regular Session

By Representatives Roach and Shabro

Prefiled 1/5/2004. Read first time 01/12/2004. Referred to
Committee on Judiciary.

1 AN ACT Relating to recovery of court costs; and amending RCW
2 4.84.030.

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

4 **Sec. 1.** RCW 4.84.030 and 1987 c 202 s 121 are each amended to read
5 as follows:

6 (1) In any action under Title 26 RCW in the superior court of
7 Washington the prevailing party shall be entitled to his or her costs
8 and disbursements; but the plaintiff shall in no case be entitled to
9 costs taxed as attorneys' fees in actions within the jurisdiction of
10 the district court when commenced in the superior court.

11 (2) In any action in a court of record in Washington other than
12 actions under Title 26 RCW, the prevailing or substantially prevailing
13 party is entitled to his or her costs and disbursements, including
14 reasonable attorneys' fees. The court shall determine and award the
15 amount of reasonable attorneys' fees and costs under this chapter. A
16 party is considered to prevail if it obtains substantial relief on a
17 material issue or material issues sought. Reasonable attorneys' fees
18 must be determined by multiplying the total number of attorneys' hours
19 necessary to prevail on the material issue or material issues by a

1 reasonable hourly rate of compensation. The hourly rate of
2 compensation is presumed reasonable if it is substantially similar to
3 fees charged by other attorneys in the same area for work of similar
4 substance and complexity. This subsection does not apply to the award
5 of attorneys' fees pursuant to any other statutory provision.

--- END ---