
SENATE BILL 6779

State of Washington 60th Legislature 2008 Regular Session

By Senators Marr, Weinstein, Kline, and McDermott

Read first time 01/23/08. Referred to Committee on Judiciary.

1 AN ACT Relating to compensation of jurors; and amending RCW
2 2.36.150, 3.50.135, and 35.20.090.

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

4 **Sec. 1.** RCW 2.36.150 and 2006 c 372 s 903 are each amended to read
5 as follows:

6 ~~((Jurors))~~ (1) Each grand, petit, coroner's, and district court
7 juror who is employed on a full-time basis shall be paid regular wages
8 by his or her employer for the first three days, or part thereof, of
9 juror service. Employers with ten or fewer employees shall not be
10 required to pay a juror-employee his or her usual compensation.

11 (2) If an employer fails to pay an employee in violation of
12 subsection (1) of this section, the employee may bring a civil action
13 for recovery of wages or salary lost as a result of the violation. If
14 an employee prevails in an action under this subsection, that employee
15 shall be entitled to reasonable attorney fees fixed by the court.

16 (3) After the first three days of juror service, each juror shall
17 receive for each day's attendance, besides mileage at the rate
18 determined under RCW 43.03.060, the following expense payments:

1 ~~((1))~~ (a) Grand jurors may receive up to twenty-five dollars but
2 in no case less than ten dollars;

3 ~~((2))~~ (b) Petit jurors may receive up to twenty-five dollars but
4 in no case less than ten dollars;

5 ~~((3))~~ (c) Coroner's jurors may receive up to twenty-five dollars
6 but in no case less than ten dollars;

7 ~~((4))~~ (d) District court jurors may receive up to twenty-five
8 dollars but in no case less than ten dollars:

9 PROVIDED, That a person excused from jury service at his or her own
10 request shall be allowed not more than a per diem and such mileage, if
11 any, as to the court shall seem just and equitable under all
12 circumstances: PROVIDED FURTHER, That the state shall fully reimburse
13 the county in which trial is held for all jury fees and witness fees
14 related to criminal cases which result from incidents occurring within
15 an adult or juvenile correctional institution: PROVIDED FURTHER, That
16 the expense payments paid to jurors shall be determined by the county
17 legislative authority and shall be uniformly applied within the county.

18 For the fiscal year ending June 30, 2007, jurors participating in
19 pilot projects in superior, district, and municipal courts may receive
20 juror fees of up to sixty-two dollars for each day of attendance in
21 addition to mileage reimbursement at the rate determined under RCW
22 43.03.060.

23 **Sec. 2.** RCW 3.50.135 and 1984 c 258 s 126 are each amended to read
24 as follows:

25 In all civil cases, the plaintiff or defendant may demand a jury,
26 which shall consist of six citizens of the state who shall be impaneled
27 and sworn as in cases before district courts, or the trial may be by a
28 judge of the municipal court: PROVIDED, That no jury trial may be held
29 on a proceeding involving a traffic infraction. A party requesting a
30 jury shall pay to the court a fee which shall be the same as that for
31 a jury in district court. If more than one party requests a jury, only
32 one jury fee shall be collected by the court. The fee shall be
33 apportioned among the requesting parties. Each juror ~~((may receive up
34 to twenty five dollars but in no case less than ten dollars for each
35 day in attendance upon the municipal court))~~ shall be compensated as
36 provided in RCW 2.36.150, and in addition thereto shall receive mileage
37 at the rate determined under RCW 43.03.060: PROVIDED, That the

1 compensation paid jurors shall be determined by the legislative
2 authority of the city and shall be uniformly applied. Jury trials
3 shall be allowed in all criminal cases unless waived by the defendant.

4 **Sec. 3.** RCW 35.20.090 and 1987 c 202 s 195 are each amended to
5 read as follows:

6 In all civil cases and criminal cases where jurisdiction is
7 concurrent with district courts as provided in RCW 35.20.250, within
8 the jurisdiction of the municipal court, the plaintiff or defendant may
9 demand a jury, which shall consist of six citizens of the state who
10 shall be impaneled and sworn as in cases before district courts, or the
11 trial may be by a judge of the municipal court: PROVIDED, That no jury
12 trial may be held on a proceeding involving a traffic infraction. A
13 defendant requesting a jury shall pay to the court a fee which shall be
14 the same as that for a jury in district court. Where there is more
15 than one defendant in an action and one or more of them requests a
16 jury, only one jury fee shall be collected by the court. Each juror
17 (~~may receive up to twenty five dollars but in no case less than ten~~
18 ~~dollars for each day in attendance upon the municipal court~~) shall be
19 compensated as provided in RCW 2.36.150 as provided for district court
20 jurors, and in addition thereto shall receive mileage at the rate
21 determined under RCW 43.03.060: PROVIDED, That the compensation paid
22 jurors shall be determined by the legislative authority of the city and
23 shall be uniformly applied. Trial by jury shall be allowed in criminal
24 cases involving violations of city ordinances commencing January 1,
25 1972, unless such incorporated city affected by this chapter has made
26 provision therefor prior to January 1, 1972.

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