

RCW 3.62.070 Filing fees in criminal cases and traffic infractions—Arbitration if no agreement. Except in traffic cases wherein bail is forfeited or a monetary penalty paid to a violations bureau, and except in cases filed in municipal departments established pursuant to chapter 3.46 RCW and except in cases where a city has contracted with another city for such services pursuant to chapter 39.34 RCW, in every criminal or traffic infraction action filed by a city for an ordinance violation, the city shall be charged a filing fee. Fees shall be determined pursuant to an agreement as provided for in chapter 39.34 RCW, the interlocal cooperation act, between the city and the county providing the court service. In such criminal or traffic infraction actions the cost of providing services necessary for the preparation and presentation of a defense at public expense are not within the filing fee and shall be paid by the city. In all other criminal or traffic infraction actions, no filing fee shall be assessed or collected: PROVIDED, That in such cases, for the purposes of RCW 3.62.010, four dollars or the agreed filing fee of each fine or penalty, whichever is greater, shall be deemed filing costs.

In the event no agreement is reached between a city and the county providing the court service, either party may invoke binding arbitration on the fee issue by notice to the other party. In the case of establishing initial fees, the notice shall be thirty days. In the case of renewal or proposed nonrenewal, the notice shall be given one hundred twenty days prior to the expiration of the existing contract. In the event that such issue is submitted to arbitration, the arbitrator or arbitrators shall only consider those additional costs borne by the county in providing district court services for such city. The city and the county shall each select one arbitrator, the two of whom shall pick a third arbitrator. The existing contract shall remain in effect until a new agreement is reached or until an arbitration award is made. [1994 c 266 § 15; 1993 c 317 § 8; 1984 c 258 § 39; 1980 c 128 § 14; 1979 ex.s. c 129 § 1; 1973 1st ex.s. c 10 § 2; 1961 c 299 § 111.]

Effective date—1994 c 266 § 15: "Section 15 of this act shall take effect January 1, 1995." [1994 c 266 § 16.]

Severability—Effective date—1993 c 317: See notes following RCW 3.50.810.

Court Improvement Act of 1984—Effective dates—Severability—Short title—1984 c 258: See notes following RCW 3.30.010.

Effective date—Severability—1980 c 128: See notes following RCW 46.63.060.