

**RCW 4.24.430 Actions by persons serving criminal sentence—  
Waiver of filing fees—Effect of previous claims dismissed on grounds  
claim was frivolous or malicious.** If a person serving a criminal  
sentence in a federal, state, local, or privately operated  
correctional facility seeks leave to proceed in state court without  
payment of filing fees in any civil action or appeal against the  
state, a state or local governmental agency or entity, or a state or  
local official, employee, or volunteer acting in such capacity, except  
an action that, if successful, would affect the duration of the  
person's confinement, the court shall deny the request for waiver of  
the court filing fees if the person has, on three or more occasions  
while incarcerated or detained in any such facility, brought an action  
or appeal that was dismissed by a state or federal court on grounds  
that it was frivolous or malicious. One of the three previous  
dismissals must have involved an action or appeal commenced after July  
22, 2011. A court may permit the person to commence the action or  
appeal without payment of filing fees if the court determines the  
person is in imminent danger of serious physical injury. [2011 c 220  
§ 1.]