

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5528

53rd Legislature
1993 Regular Session

Passed by the Senate April 20, 1993
YEAS 33 NAYS 14

President of the Senate

Passed by the House April 15, 1993
YEAS 87 NAYS 9

**Speaker of the
House of Representatives**

Approved

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5528** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5528

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

State of Washington 53rd Legislature 1993 Regular Session

By Senate Committee on Law & Justice (originally sponsored by Senator Quigley)

Read first time 02/24/93.

1 AN ACT Relating to court fees; amending RCW 36.18.020; and adding
2 a new section to chapter 26.12 RCW.

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

4 **Sec. 1.** RCW 36.18.020 and 1992 c 54 s 1 are each amended to read
5 as follows:

6 Clerks of superior courts shall collect the following fees for
7 their official services:

8 (1) The party filing the first or initial paper in any civil
9 action, including an action for restitution, or change of name, shall
10 pay, at the time said paper is filed, a fee of one hundred ten dollars
11 except in proceedings filed under RCW 26.50.030 or 49.60.227 where the
12 petitioner shall pay a filing fee of twenty dollars, or an unlawful
13 detainer action under chapter 59.18 or 59.20 RCW where the plaintiff
14 shall pay a filing fee of thirty dollars. If the defendant serves or
15 files an answer to an unlawful detainer complaint under chapter 59.18
16 or 59.20 RCW, the plaintiff shall pay, prior to proceeding with the
17 unlawful detainer action, an additional eighty dollars which shall be
18 considered part of the filing fee. The thirty dollar filing fee under
19 this subsection for an unlawful detainer action shall not include an

1 order to show cause or any other order or judgment except a default
2 order or default judgment in an unlawful detainer action.

3 (2) Any party, except a defendant in a criminal case, filing the
4 first or initial paper on an appeal from a court of limited
5 jurisdiction or any party on any civil appeal, shall pay, when said
6 paper is filed, a fee of one hundred ten dollars.

7 (3) The party filing a transcript or abstract of judgment or
8 verdict from a United States court held in this state, or from the
9 superior court of another county or from a district court in the county
10 of issuance, shall pay at the time of filing, a fee of fifteen dollars.

11 (4) For the filing of a tax warrant by the department of revenue of
12 the state of Washington, a fee of five dollars shall be paid.

13 (5) For the filing of a petition for modification of a decree of
14 dissolution, a fee of twenty dollars shall be paid.

15 (6) The party filing a demand for jury of six in a civil action,
16 shall pay, at the time of filing, a fee of fifty dollars; if the demand
17 is for a jury of twelve the fee shall be one hundred dollars. If,
18 after the party files a demand for a jury of six and pays the required
19 fee, any other party to the action requests a jury of twelve, an
20 additional fifty-dollar fee will be required of the party demanding the
21 increased number of jurors.

22 (7) For filing any paper, not related to or a part of any
23 proceeding, civil or criminal, or any probate matter, required or
24 permitted to be filed in the clerk's office for which no other charge
25 is provided by law, or for filing a petition, written agreement, or
26 memorandum as provided in RCW 11.96.170, the clerk shall collect
27 (~~two~~) twenty dollars.

28 (8) For preparing, transcribing or certifying any instrument on
29 file or of record in the clerk's office, with or without seal, for the
30 first page or portion thereof, a fee of two dollars, and for each
31 additional page or portion thereof, a fee of one dollar. For
32 authenticating or exemplifying any instrument, a fee of one dollar for
33 each additional seal affixed.

34 (9) For executing a certificate, with or without a seal, a fee of
35 two dollars shall be charged.

36 (10) For each garnishee defendant named in an affidavit for
37 garnishment and for each writ of attachment, a fee of (~~five~~) twenty
38 dollars shall be charged.

1 (11) For approving a bond, including justification thereon, in
2 other than civil actions and probate proceedings, a fee of two dollars
3 shall be charged.

4 (12) In probate proceedings, the party instituting such
5 proceedings, shall pay at the time of filing the first paper therein,
6 a fee of one hundred ten dollars: PROVIDED, HOWEVER, A fee of ~~((two))~~
7 twenty dollars shall be charged for filing a will only, when no probate
8 of the will is contemplated. Except as provided for in subsection (13)
9 of this section a fee of two dollars shall be charged for filing a
10 petition, written agreement, or memorandum as provided in RCW
11 11.96.170.

12 (13) For filing any petition to contest a will admitted to probate
13 or a petition to admit a will which has been rejected, or a petition
14 objecting to a written agreement or memorandum as provided in RCW
15 11.96.170, there shall be paid a fee of one hundred ten dollars.

16 (14) For the issuance of each certificate of qualification and each
17 certified copy of letters of administration, letters testamentary or
18 letters of guardianship there shall be a fee of two dollars.

19 (15) For the preparation of a passport application ~~((there shall be
20 a fee of four dollars))~~ the clerk may collect an execution fee as
21 authorized by the federal government.

22 (16) For ~~((searching records for which a written report is issued
23 there shall be a fee of eight dollars per hour))~~ clerks' special
24 services such as processing ex parte orders by mail, performing
25 historical searches, compiling statistical reports, and conducting
26 exceptional record searches the clerk may collect a fee not to exceed
27 twenty dollars per hour or portion of an hour.

28 (17) For duplicated recordings of court's proceedings there shall
29 be a fee of ten dollars for each audio tape and twenty-five dollars for
30 each video tape.

31 ~~((17))~~ (18) Upon conviction or plea of guilty, upon failure to
32 prosecute an appeal from a court of limited jurisdiction as provided by
33 law, or upon affirmance of a conviction by a court of limited
34 jurisdiction, a defendant in a criminal case shall be liable for a fee
35 of one hundred ten dollars.

36 ~~((18))~~ (19) With the exception of demands for jury hereafter made
37 and garnishments hereafter issued, civil actions and probate
38 proceedings filed prior to midnight, July 1, 1972, shall be completed
39 and governed by the fee schedule in effect as of January 1, 1972:

1 PROVIDED, That no fee shall be assessed if an order of dismissal on the
2 clerk's record be filed as provided by rule of the supreme court.

3 (~~(19)~~) (20) No fee shall be collected when a petition for
4 relinquishment of parental rights is filed pursuant to RCW 26.33.080 or
5 for forms and instructional brochures provided under RCW 26.50.030.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 26.12 RCW
7 to read as follows:

8 A county may create a courthouse facilitator program to provide
9 basic services to pro se litigants in family law cases. The
10 legislative authority of any county may impose user fees or may impose
11 a surcharge of up to ten dollars on only those superior court cases
12 filed under Title 26 RCW, or both, to pay for the expenses of the
13 courthouse facilitator program. Fees collected under this section
14 shall be collected and deposited in the same manner as other county
15 funds are collected and deposited, and shall be maintained in a
16 separate account to be used as provided in this section.

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