

FINAL BILL REPORT

EHB 2713

C 170 L 00

Synopsis as Enacted

Brief Description: Regarding mandatory arbitration fees.

Sponsors: Representatives Constantine, Hurst, Haigh and Conway.

House Committee on Judiciary

Senate Committee on Judiciary

Background:

Arbitration is a nonjudicial method for resolving disputes in which a neutral party is given authority to decide the case. Arbitration is intended to be a less expensive and time-consuming way of settling problems than taking a dispute to court. Parties are generally free to agree between themselves to submit an issue to arbitration. In some cases, however, arbitration is mandatory.

A statute allows any superior court, by majority vote of its judges, to adopt mandatory arbitration in prescribed cases. In counties of 70,000 or more population, the county legislative authority may also impose this mandatory arbitration. This mandatory arbitration applies to cases in which the sole relief sought is a money judgment of \$15,000 or less. By a two-thirds vote, the judges of the superior court may raise this limit to \$35,000.

Under Initiative 695, any increase in a "tax" requires voter approval. For purposes of the initiative, the term "tax" includes taxes, fees, and "any monetary charge by government."

Summary of Bill:

A county legislative authority may impose a filing fee of up to \$120 for a mandatory arbitration. If Initiative 695 is determined to apply, however, any such fee must be approved by a vote of the people. The fee is to be used solely for the support of the mandatory arbitration program in the county.

Votes on Final Passage:

House 79 17

Senate 32 12

Effective: June 8, 2000