SENATE BILL REPORT

HB 2328

As Reported By Senate Committee On:
Judiciary, February 18, 2000

Title: An act relating to fees for filing a petition for unlawful harassment.

Brief Description: Decreasing filing fees for petition for unlawful harassment.

Sponsors: Representatives Lantz, Constantine, Ogden, Edmonds, Stensen, Regala, O'Brien, Kagi, Dickerson, Cody, Keiser, Kessler, Schual-Berke, Hurst, Santos and Kenney.

Brief History:
   Committee Activity: Judiciary: 2/16/2000, 2/18/2000 [DP].

SENATE COMMITTEE ON JUDICIARY

   Majority Report: Do pass.
      Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Hargrove, Johnson, Long, McCaslin and Thibaudeau.

   Staff: Karen Lundahl (786-7421)

   Background: Under the state Constitution, there is concurrent jurisdiction for all actions in equity, including anti-harassment petitions. The anti-harassment law states that petitions for anti-harassment protection orders are to be filed in district court, but where the respondent is under 18 years old must be transferred to superior court. Any anti-harassment petition may be transferred to superior court if a district court judge finds that there are meritorious reasons. Superior court filing fees are set at $110, while district court filing fee is set at $31, plus an optional $10 surcharge.

   Summary of Bill: The superior court filing fee for anti-harassment petitions is decreased from $110 to $41.

   Appropriation: None.

   Fiscal Note: Not requested.

   Effective Date: Ninety days after adjournment of session in which bill is passed.

   Testimony For: This will expedite process by encouraging those with petitions which would be transferred to superior court to file there. It will be more fair, and may increase fees collected because there will be fewer fee waivers.

   Testimony Against: None.

Testified: Betty Gould, Thurston County Superior Court Clerk, Washington Association of County Clerks (pro); Debbie Wilke, Washington Association of County Officials (pro).