

SENATE BILL REPORT

SB 5487

As Reported By Senate Committee On:
Judiciary, February 22, 1999

Title: An act relating to jury demand and arbitration fees.

Brief Description: Changing fees for court procedures.

Sponsors: Senators Heavey, Long, Hargrove, Costa and Kline.

Brief History:

Committee Activity: Judiciary: 2/10/99, 2/22/99 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5487 be substituted therefor, and the substitute bill do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Hargrove, Haugen, Long, McCaslin and Thibaudeau.

Staff: Dick Armstrong (786-7460)

Background: Currently a party making a demand for a jury of six persons in a civil action in superior court must pay a fee of \$50. If the demand is for a jury of 12, the fee is set at \$100. If, after a party demands a jury of six and pays the required fee, any other party to the action requesting a jury of 12 must pay an additional fee of \$50. In a criminal action, the court has the option of imposing such fees.

At the present time no fee is collected for a request for a trial de novo of an arbitration award.

Summary of Substitute Bill: The fee for requesting a jury of six in a civil trial in superior court is increased from \$50 to \$125. If the demand is for a jury of 12, the fee is increased from \$100 to \$250. If, after a party demands a jury of six and pays the required fee, any other party to the action requests a jury of 12 persons, the requesting party must pay an additional fee of \$125. The fees for requesting a jury in criminal cases are not changed from current law.

Counties are given the authority to impose a fee not to exceed \$250 for filing a request for a trial de novo of an arbitration award.

Substitute Bill Compared to Original Bill: The original bill would have increased the jury demand fees for criminal actions. Also, the original bill did not place a maximum on the amount of the fee to request a trial de novo from an arbitration award.

Appropriation: None.

Fiscal Note: Requested on February 5, 1999.

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

Testimony For: Increases in the jury demand fee are necessary to help cover the costs of handling jury trials. The fee was last changed in 1992. It is appropriate to authorize a fee when a party appeals an arbitration award. Such an appeal causes the court system to incur many costs. Operation of the mandatory arbitration program is expensive.

Testimony Against: None.

Testified: PRO: Martha Herden, Superior Court Judges Assn.; Jeff Hall, Court Administrator, Benton-Franklin Co.; Mike Planet, Court Administrator, King Co.