
SENATE BILL 6516

State of Washington

56th Legislature

2000 Regular Session

By Senator Heavey

Read first time . Referred to Committee on .

1 AN ACT Relating to civil courts; amending RCW 3.66.020, 36.18.016,
2 and 3.62.060; and reenacting and amending RCW 7.06.020.

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

4 **Sec. 1.** RCW 3.66.020 and 1997 c 246 s 1 are each amended to read
5 as follows:

6 If the value of the claim or the amount at issue does not exceed
7 (~~thirty-five~~) fifty thousand dollars, exclusive of interest, costs,
8 and attorneys' fees, the district court shall have jurisdiction and
9 cognizance of the following civil actions and proceedings:

10 (1) Actions arising on contract for the recovery of money;

11 (2) Actions for damages for injuries to the person, or for taking
12 or detaining personal property, or for injuring personal property, or
13 for an injury to real property when no issue raised by the answer
14 involves the plaintiff's title to or possession of the same and actions
15 to recover the possession of personal property;

16 (3) Actions for a penalty;

17 (4) Actions upon a bond conditioned for the payment of money, when
18 the amount claimed does not exceed (~~thirty-five~~) fifty thousand
19 dollars, though the penalty of the bond exceeds that sum, the judgment

1 to be given for the sum actually due, not exceeding the amount claimed
2 in the complaint;

3 (5) Actions on an undertaking or surety bond taken by the court;

4 (6) Actions for damages for fraud in the sale, purchase, or
5 exchange of personal property;

6 (7) Proceedings to take and enter judgment on confession of a
7 defendant;

8 (8) Proceedings to issue writs of attachment, garnishment and
9 replevin upon goods, chattels, moneys, and effects; and

10 (9) All other actions and proceedings of which jurisdiction is
11 specially conferred by statute, when the title to, or right of
12 possession of real property is not involved.

13 **Sec. 2.** RCW 36.18.016 and 1999 c 397 s 8 are each amended to read
14 as follows:

15 (1) Revenue collected under this section is not subject to division
16 under RCW 36.18.025 or 27.24.070.

17 (2) For the filing of a petition for modification of a decree of
18 dissolution or paternity, within the same case as the original action,
19 a fee of twenty dollars must be paid.

20 (3)(a) The party making a demand for a jury of six in a civil
21 action shall pay, at the time, a fee of one hundred twenty-five
22 dollars; if the demand is for a jury of twelve, a fee of two hundred
23 fifty dollars. If, after the party demands a jury of six and pays the
24 required fee, any other party to the action requests a jury of twelve,
25 an additional one hundred twenty-five dollar fee will be required of
26 the party demanding the increased number of jurors.

27 (b) Upon conviction in criminal cases a jury demand charge of fifty
28 dollars for a jury of six, or one hundred dollars for a jury of twelve
29 may be imposed as costs under RCW 10.46.190.

30 (4) For preparing, transcribing, or certifying an instrument on
31 file or of record in the clerk's office, with or without seal, for the
32 first page or portion of the first page, a fee of two dollars, and for
33 each additional page or portion of a page, a fee of one dollar must be
34 charged. For authenticating or exemplifying an instrument, a fee of
35 one dollar for each additional seal affixed must be charged.

36 (5) For executing a certificate, with or without a seal, a fee of
37 two dollars must be charged.

1 (6) For a garnishee defendant named in an affidavit for garnishment
2 and for a writ of attachment, a fee of twenty dollars must be charged.

3 (7) For approving a bond, including justification on the bond, in
4 other than civil actions and probate proceedings, a fee of two dollars
5 must be charged.

6 (8) For the issuance of a certificate of qualification and a
7 certified copy of letters of administration, letters testamentary, or
8 letters of guardianship, there must be a fee of two dollars.

9 (9) For the preparation of a passport application, the clerk may
10 collect an execution fee as authorized by the federal government.

11 (10) For clerk's special services such as processing ex parte
12 orders by mail, performing historical searches, compiling statistical
13 reports, and conducting exceptional record searches, the clerk may
14 collect a fee not to exceed twenty dollars per hour or portion of an
15 hour.

16 (11) For duplicated recordings of court's proceedings there must be
17 a fee of ten dollars for each audio tape and twenty-five dollars for
18 each video tape.

19 (12) For the filing of oaths and affirmations under chapter 5.28
20 RCW, a fee of twenty dollars must be charged.

21 (13) For filing a disclaimer of interest under RCW 11.86.031(4), a
22 fee of two dollars must be charged.

23 (14) For registration of land titles, Torrens Act, under RCW
24 65.12.780, a fee of five dollars must be charged.

25 (15) For the issuance of extension of judgment under RCW 6.17.020
26 and chapter 9.94A RCW, a fee of one hundred ten dollars must be
27 charged.

28 (16) A facilitator surcharge of ten dollars must be charged as
29 authorized under RCW 26.12.240.

30 (17) For filing a water rights statement under RCW 90.03.180, a fee
31 of twenty-five dollars must be charged.

32 (18) For filing a warrant for overpayment of state retirement
33 systems benefits under chapter 41.50 RCW, a fee of five dollars shall
34 be charged pursuant to RCW 41.50.136.

35 (19) A service fee of three dollars for the first page and one
36 dollar for each additional page must be charged for receiving faxed
37 documents, pursuant to Washington state rules of court, general rule
38 17.

1 (20) For preparation of clerk's papers under RAP 9.7, a fee of
2 fifty cents per page must be charged.

3 (21) For copies and reports produced at the local level as
4 permitted by RCW 2.68.020 and supreme court policy, a variable fee must
5 be charged.

6 (22) Investment service charge and earnings under RCW 36.48.090
7 must be charged.

8 (23) Costs for nonstatutory services rendered by clerk by authority
9 of local ordinance or policy must be charged.

10 (24) For filing a request for mandatory arbitration, a fee may be
11 assessed against the party filing a statement of arbitrability not to
12 exceed one hundred twenty dollars as established by authority of local
13 ordinance. This charge shall be used to offset the cost of the
14 mandatory arbitration program.

15 (25) For filing a request for trial de novo of an arbitration
16 award, a fee not to exceed two hundred fifty dollars as established by
17 authority of local ordinance must be charged.

18 **Sec. 3.** RCW 3.62.060 and 1992 c 62 s 8 are each amended to read as
19 follows:

20 Clerks of the district courts shall collect the following fees for
21 their official services:

22 (1) In any civil action commenced before or transferred to a
23 district court, the plaintiff shall, at the time of such commencement
24 or transfer, pay to such court a filing fee of thirty-one dollars plus
25 any surcharge authorized by RCW 7.75.035. No party shall be compelled
26 to pay to the court any other fees or charges up to and including the
27 rendition of judgment in the action other than those listed.

28 (2) For issuing a writ of garnishment or other writ a fee of six
29 dollars.

30 (3) For filing a supplemental proceeding a fee of twelve dollars.

31 (4) For demanding a jury in a civil case a fee of fifty dollars to
32 be paid by the person demanding a jury.

33 (5) For preparing a transcript of a judgment a fee of six dollars.

34 (6) For certifying any document on file or of record in the clerk's
35 office a fee of five dollars.

36 (7) For preparing the record of a case for appeal to superior court
37 a fee of forty dollars including any costs of tape duplication as

1 governed by the rules of appeal for courts of limited jurisdiction
2 (RALJ).

3 (8) For duplication of part or all of the electronic tape or tapes
4 of a proceeding ten dollars per tape.

5 (9) For filing a request for mandatory arbitration if authorized by
6 court rule, a fee may be assessed against the party filing a statement
7 of arbitrability not to exceed thirty-one dollars as established by
8 authority of local ordinance. This charge shall be used to offset the
9 cost of the mandatory arbitration program. Revenue collected under
10 this subsection is not subject to division under RCW 36.18.025 or
11 27.24.070.

12 The fees or charges imposed under this section shall be allowed as
13 court costs whenever a judgment for costs is awarded.

14 **Sec. 4.** RCW 7.06.020 and 1987 c 212 s 101 and 1987 c 202 s 127 are
15 each reenacted and amended to read as follows:

16 (1) All civil actions, except for appeals from municipal or
17 district courts, which are at issue in the superior court in counties
18 which have authorized arbitration, where the sole relief sought is a
19 money judgment, and where no party asserts a claim in excess of fifteen
20 thousand dollars, or if approved by the superior court of a county by
21 two-thirds or greater vote of the judges thereof, up to thirty-five
22 thousand dollars, exclusive of interest and costs, are subject to
23 mandatory arbitration. Court rules may provide for the transfer of
24 specified types of cases to district court.

25 (2) If approved by majority vote of the superior court judges of a
26 county which has authorized arbitration, all civil actions which are at
27 issue in the superior court in which the sole relief sought is the
28 establishment, termination or modification of maintenance or child
29 support payments are subject to mandatory arbitration. The
30 arbitrability of any such action shall not be affected by the amount or
31 number of payments involved.

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