

HOUSE BILL REPORT

HB 1470

As Reported by House Committee On:
Judiciary

Title: An act relating to county law library funding.

Brief Description: Authorizing a filing fee surcharge for funding county law libraries.

Sponsors: By Representatives Cairnes and Morris.

Brief History:

Committee Activity:

Judiciary: 1/17/02, 1/22/02 [DPA].

Brief Summary of Amended Bill

- Authorizes an additional surcharge on civil filing fees in order to fund county law libraries.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended. Signed by 6 members: Representatives Lantz, Chair; Hurst, Vice Chair; Dickerson, Jarrett, Lovick and Lysen.

Minority Report: Do not pass. Signed by 3 members: Representatives Carrell, Ranking Minority Member; Boldt and Esser.

Staff: Bill Perry (786-7123).

Background:

Each county with a population of 8,000 or more is required to maintain a county law library. The library is governed by a board of trustees. Counties may join to form a regional law library.

State law provides that \$12 of every new probate or civil filing fee collected in superior court and \$6 of every civil filing fee collected in district court are to be used for the support of the county law library. Upon approval of the library board of trustees and the county legislative authority, the \$12 contribution amount may be increased to \$15.

The filing fee for a civil cause of action in superior court is \$110, and in district court the filing fee is \$31.

Summary of Amended Bill:

Counties are authorized to impose an additional surcharge for civil filing fees for the purpose of additional funding for county law libraries. Upon approval of the county law library board of trustees and the county legislative authority, a surcharge for civil filing fees may be imposed in an amount not to exceed \$15 for superior court and \$6 for district court.

If a county has increased the amount of the library support contribution that comes out of the superior court filing fee to more than \$12 statutory minimum amount, then the county may not reduce that extra contribution amount when it imposes a surcharge on the filing fee.

Amended Bill Compared to Original Bill:

The amended bill adds the provision prohibiting counties from reducing filing fee contribution amounts when they impose filing fee surcharges.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: County law libraries not only provide essential services to attorneys and judges, but they are also particularly valuable to ordinary citizens. Many people with legal problems or issues cannot afford attorneys, and county law libraries are often the only source of information and help available. The amount of support from filing fees that goes to law libraries has not been increased in 10 years. During that time, the number of filings has dropped and, therefore, so has the revenue available for libraries. Management efficiencies have resulted in significant cost savings, but many libraries are now having to eliminate important primary legal resources from their collections. Use of the internet as an alternative to hard copy resources may reduce some costs, but the internet provides unreliable information out of context. Full service electronic legal research is very expensive and requires considerable user training and knowledge.

Testimony Against: Many of the people who will have to pay the increased fee to support the libraries do not use the libraries and therefore will get no benefit from paying

the extra fee. The increased filing fee will hurt many small litigants, and will make many small but worthy cases impractical to pursue. Increased efficiencies and alternatives to filing fee increases ought to be sought instead.

Testified: (In support) Representative Cairnes, prime sponsor; Jean Holcomb, King County Law Library; Kay Newman, Spokane County Law Library; Laurie Miller, Pierce County Law Library; Patti Worl, Skagit County Law Library; LeRoy McCullough, King County Superior Court; and Mike Eide, South King County Bar Association.

(Opposed) Mark Gjurasic, Washington Collectors Association; and Kevin Underwood, Washington Collectors Association.