

SENATE BILL REPORT

SB 5426

As Passed Senate, February 8, 2002

Title: An act relating to county law library funding.

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

Sponsors: Senators Patterson, Costa, McCaslin, Constantine and Kline.

Brief History:

Committee Activity: Judiciary: 2/5/01, 2/6/01 [DP].

Passed Senate: 3/6/01, 35-9; 2/8/02, 36-13.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Constantine, Vice Chair; Costa, Johnson, Kastama, Long, McCaslin, Roach, Thibaudeau and Zarelli.

Minority Report: Do not pass.

Signed By Senator Zarelli.

Staff: Lidia Mori (786-7755)

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 in district court is 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 fee 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. In addition, counties may impose an additional surcharge of \$10 on each civil filing in district court and \$15 in small claims court for the purpose of funding dispute resolution centers.

Summary of Bill: Counties are authorized to impose an additional surcharge on 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 on civil filing fees may be imposed in an amount not to exceed \$15 for superior court and \$6 for district court.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Law libraries in the state are running at a deficit. King County has two of them, one at the Regional Justice Center in Kent and one in downtown Seattle. The revenue stream for law libraries has not changed since 1992. Many of the people that depend on law libraries cannot afford an attorney and are pro se. They need procedural legal information and this is not available free on the internet.

Testimony Against: There should be a better way to fund libraries. If an additional surcharge on filing fees is allowed, it should only be for superior court, not district court.

Testified: Senator Julia Patterson, prime sponsor; Jean Holcomb (pro), King County Law Library; Carol Best (pro), Snohomish County Law Library; Maria Sosnowski (pro), Clark County Law Library; Mark Gjurasic (con), Wa. Collectors Assoc.