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SENATE BILL 5072

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State of Washington

57th Legislature

2001 Regular Session

By Senators Kline, McCaslin, Kastama, Thibaudeau, Fraser, Patterson, Winsley, Kohl-Welles and Prentice

Read first time 01/10/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to juror compensation; and amending RCW 2.36.150,  
2 3.50.135, and 35.20.090.

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

4 **Sec. 1.** RCW 2.36.150 and 1987 c 202 s 105 are each amended to read  
5 as follows:

6 Jurors shall receive for each day's or partial day's attendance,  
7 besides mileage at the rate determined under RCW 43.03.060, the  
8 following compensation:

9 (1) Grand jurors ((may)) shall receive ((~~up to twenty-five dollars~~  
10 ~~but in no case less than~~)) ten dollars for the first day or partial day  
11 in attendance and shall receive forty-five dollars for each day or  
12 partial day thereafter;

13 (2) Petit jurors ((may)) shall receive ((~~up to twenty-five dollars~~  
14 ~~but in no case less than~~)) ten dollars for the first day or partial day  
15 in attendance and shall receive forty-five dollars for each day or  
16 partial day thereafter;

17 (3) Coroner's jurors ((may)) shall receive ((~~up to twenty-five~~  
18 ~~dollars but in no case less than~~)) ten dollars for the first day or

1 partial day in attendance and shall receive forty-five dollars for each  
2 day or partial day thereafter;

3 (4) District court jurors (~~((may))~~) shall receive (~~((up to twenty five~~  
4 ~~dollars but in no case less than))~~) ten dollars for the first day or  
5 partial day in attendance and shall receive forty-five dollars for each  
6 day or partial day thereafter:

7 PROVIDED, That a person excused from jury service at his or her own  
8 request shall be allowed not more than a per diem and such mileage, if  
9 any, as to the court shall seem just and equitable under all  
10 circumstances: PROVIDED FURTHER, That the state shall fully reimburse  
11 the county in which trial is held for all jury fees and witness fees  
12 related to criminal cases which result from incidents occurring within  
13 an adult or juvenile correctional institution(~~(:—PROVIDED FURTHER,~~  
14 ~~That the compensation paid jurors shall be determined by the county~~  
15 ~~legislative authority and shall be uniformly applied within the~~  
16 ~~county)). The county is responsible for the first ten dollars of juror  
17 compensation for each day or partial day of jury service, and the state  
18 shall reimburse the county for any additional juror compensation  
19 required under this section.~~

20 **Sec. 2.** RCW 3.50.135 and 1984 c 258 s 126 are each amended to read  
21 as follows:

22 In all civil cases, the plaintiff or defendant may demand a jury,  
23 which shall consist of six citizens of the state who shall be impaneled  
24 and sworn as in cases before district courts, or the trial may be by a  
25 judge of the municipal court: PROVIDED, That no jury trial may be held  
26 on a proceeding involving a traffic infraction. A party requesting a  
27 jury shall pay to the court a fee which shall be the same as that for  
28 a jury in district court. If more than one party requests a jury, only  
29 one jury fee shall be collected by the court. The fee shall be  
30 apportioned among the requesting parties. Each juror (~~((may))~~) shall  
31 receive (~~((up to twenty five dollars but in no case less than))~~) ten  
32 dollars for (~~((each))~~) the first day or partial day in attendance upon  
33 the municipal court and shall receive forty-five dollars for each day  
34 or partial day thereafter, and in addition thereto shall receive  
35 mileage at the rate determined under RCW 43.03.060(~~(:—PROVIDED, That~~  
36 ~~the compensation paid jurors shall be determined by the legislative~~  
37 ~~authority of the city and shall be uniformly applied)). The city is~~  
38 responsible for the first ten dollars of juror compensation for each

1 day or partial day of jury service, and the state shall reimburse the  
2 city for any additional juror compensation required under this section.  
3 Jury trials shall be allowed in all criminal cases unless waived by the  
4 defendant.

5 **Sec. 3.** RCW 35.20.090 and 1987 c 202 s 195 are each amended to  
6 read as follows:

7 In all civil cases and criminal cases where jurisdiction is  
8 concurrent with district courts as provided in RCW 35.20.250, within  
9 the jurisdiction of the municipal court, the plaintiff or defendant may  
10 demand a jury, which shall consist of six citizens of the state who  
11 shall be impaneled and sworn as in cases before district courts, or the  
12 trial may be by a judge of the municipal court: PROVIDED, That no jury  
13 trial may be held on a proceeding involving a traffic infraction. A  
14 defendant requesting a jury shall pay to the court a fee which shall be  
15 the same as that for a jury in district court. Where there is more  
16 than one defendant in an action and one or more of them requests a  
17 jury, only one jury fee shall be collected by the court. Each juror  
18 ~~((may)) shall receive ((up to twenty five dollars but in no case less~~  
19 ~~than)) ten dollars for ((each)) the first day or partial day in  
20 attendance upon the municipal court and shall receive forty-five  
21 dollars for each day or partial day thereafter, and in addition thereto  
22 shall receive mileage at the rate determined under RCW 43.03.060(~~(+~~  
23 ~~PROVIDED, That the compensation paid jurors shall be determined by the~~  
24 ~~legislative authority of the city and shall be uniformly applied))  
25 The city is responsible for the first ten dollars of juror compensation  
26 for each day or partial day of jury service, and the state shall  
27 reimburse the city for any additional juror compensation required under  
28 this section. Trial by jury shall be allowed in criminal cases  
29 involving violations of city ordinances commencing January 1, 1972,  
30 unless such incorporated city affected by this chapter has made  
31 provision therefor prior to January 1, 1972.~~~~

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