

# HOUSE BILL REPORT

## HB 1792

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**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:** Representatives Moeller, Flannigan, Fromhold, Jarrett, Darneille, Upthegrove, Kagi and Kessler.

**Brief History:**

**Committee Activity:**

Judiciary: 2/20/03, 2/25/03 [DP].

**Brief Summary of Bill**

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

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 6 members: Representatives Lantz, Chair; Moeller, Vice Chair; Campbell, Flannigan, Kirby and Lovick.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; and Newhouse.

**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.

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**Summary of 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.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** Law libraries serve a valuable function, especially for pro-se citizens who cannot afford legal representation in pursuing their legal rights. Access to justice requires access to the law. Many libraries have had to eliminate staff positions, reduce hours of operation and cancel publications because of increasing costs and limited resources. Replacing books with electronic materials saves some money, but computers and software or internet services are expensive themselves, and some important materials simply are not available electronically. Washington has relatively low civil filing fees compared to other states and the bill will not increase those fees significantly. The surcharge is a form of a user fee, since many library patrons are preparing to go to court.

**Testimony Against:** Filing fees are a cost of doing business for some businesses such as collection agencies. There should be another way of funding libraries besides raising filing fees. Some small counties in Eastern Washington report that only two or three people per day use their law libraries.

**Testified:** (In support) Representative Moeller, prime sponsor; Laurie Miller, Pierce County Law Library; Jean Holcomb, King County Law Library; Kay Newman, Washington State Law Library; Janay Haas, Clark County Law Library; and Patti Worl, Skagit County Law Library.

(Opposed) Vikki Smith, Washington Collector's Association.

