

SENATE BILL REPORT

SSB 6527

As Passed Senate, February 17, 2004

Title: An act relating to attorney fees.

Brief Description: Increasing the statutory rate for attorney fees.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Johnson, Berkey, Esser and Sheahan).

Brief History:

Committee Activity: Judiciary: 2/5/04, 2/6/04 [DPS].

Passed Senate: 2/17/04, 48-0.

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 6527 be substituted therefor, and the substitute bill do pass.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Haugen, Johnson, Kline and Roach.

Staff: Aldo Melchiori (786-7439)

Background: The prevailing party in a lawsuit is entitled to recover the costs of suit. "Costs" include filing and service fees and a statutory attorney's fee of \$125. For cases in superior court, the Court of Appeals or the Supreme Court, the statutory attorney's fee has not been adjusted since 1985. For district courts, the statutory attorney's fee was raised from \$50 to \$125 in 1993.

Summary of Bill: For cases in district court, superior court, the Court of Appeals or the Supreme Court, the statutory attorney's fee is raised from \$125 to \$200. If a district court judgment is over \$50, but less than \$200, the statutory attorney's fee remains at \$125.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Two hundred dollars is a more realistic amount given the hourly rate that attorneys presently charge. This increase merely reflects inflation.

Testimony Against: None.

Testified: PRO: Senator Johnson, prime sponsor; Kevin Underwood, Washington Collector's Assoc.; Christina Trott, Washington Collector's Assoc.; Dave Quigley, Merchant's Credit.