

SENATE BILL REPORT

SB 6527

As Reported By Senate Committee On:
Judiciary, February 6, 2004

Title: An act relating to attorney fees.

Brief Description: Increasing the statutory rate for attorney fees.

Sponsors: Senators Johnson, Berkey, Esser and Sheahan.

Brief History:

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

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 Substitute 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.

Substitute Bill Compared to Original Bill: If a district court judgment is over \$50, but less than \$200, the statutory attorney's fee remains at \$125. Otherwise the statutory attorney's fees in all courts is standardized at \$200.

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.