
SENATE BILL 5858

State of Washington 58th Legislature 2003 Regular Session

By Senators Brandland and Haugen

Read first time 02/17/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to recovery of court costs; and amending RCW
2 4.84.030.

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

4 **Sec. 1.** RCW 4.84.030 and 1987 c 202 s 121 are each amended to read
5 as follows:

6 (1) In any action under Title 26 RCW in the superior court of
7 Washington the prevailing party shall be entitled to his or her costs
8 and disbursements; but the plaintiff shall in no case be entitled to
9 costs taxed as attorneys' fees in actions within the jurisdiction of
10 the district court when commenced in the superior court.

11 (2) In any action in a court of record in Washington other than
12 actions under Title 26 RCW, the prevailing or substantially prevailing
13 party shall be entitled to his or her costs and disbursements,
14 including reasonable attorneys' fees. The court shall determine and
15 award the amount of reasonable attorneys' fees and costs under this
16 chapter. A party shall be considered to prevail if it obtains
17 substantial relief on a material issue or material issues sought.
18 Reasonable attorneys' fees shall be proportionate to the total number
19 of attorneys' hours necessary to prevail on the material issue or

1 material issues multiplied by a reasonable hourly rate of compensation.
2 The hourly rate of compensation is presumed reasonable if substantially
3 similar to fees charged by other attorneys in the same area for work of
4 similar substance and complexity.

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