
Ways & Means Committee

SB 5941

Brief Description: Concerning judicial branch funding.

Sponsors: Senators Eide, Regala, Rockefeller and Kline.

Brief Summary of Bill

- Removes the expiration date for surcharges on court filing fees that are deposited into the Judicial Stabilization Trust Account.
- Splits the revenue from the surcharges equally between the state and the county collecting the fee.

Hearing Date: 5/5/11

Staff: Alex MacBain (786-7288).

Background:

Superior and district courts are authorized by statute to collect filing fees and other fees for court services. Revenue from superior court filing fees is split with 46 percent going to the state and the remainder going to the county and the county or regional law library. Revenue from district court filing fees is split with 32 percent going to the state and the remainder going to the county and the county or regional law library.

Legislation enacted in 2009 authorized temporary surcharges on filing fees in superior and district courts. Superior court filings are subject to a \$30 surcharge, except filings of an appeal from a court of limited jurisdiction, where the surcharge is \$20. District court filings are subject to a \$20 surcharge, except small claims filings, which are subject to a \$10 surcharge. The surcharges are set to expire on July 1, 2011.

All of the revenue from surcharges must be remitted to the State Treasurer for deposit into the Judicial Stabilization Trust Account (Account). Expenditures from the Account may only be used for the support of judicial branch agencies.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

During the 2009-11 biennium, an estimated \$11.4 million will be deposited into the Account. Funds from the Account are appropriated for expenditures in the Administrative Office of the Courts, the Office of Public Defense, and the Office of Civil Legal Aid.

Summary of Bill:

The expiration date for the surcharges into the Account is removed. The revenue from the surcharges is split equally between the state and the county collecting the fee. Funds from the surcharge going to the county must be used to support local trial courts and court-related functions.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2011.