

# SENATE BILL REPORT

## SB 6608

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As of February 27, 2012

**Title:** An act relating to judicial stabilization trust account surcharges.

**Brief Description:** Changing judicial stabilization trust account surcharges.

**Sponsors:** Senators Harper, Pflug, Frockt, Kline and Eide.

**Brief History:**

**Committee Activity:** Ways & Means: 2/27/12.

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### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Sherry McNamara (786-7402)

**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.

In 2009 the Legislature authorized temporary surcharges on filing fees in superior and district courts. Superior court filings are subject to a \$30 surcharge, except for 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 for small claims filings, which are subject to a \$10 surcharge. The temporary surcharges are set to expire on July 1, 2013.

All of the revenue from surcharges must be remitted to the State Treasurer for deposit into the Judicial Stabilization Trust Account (Account). Expenditures from this Account may only be used for the support of judicial branch agencies. The revenue from the surcharges is split between the state and the county collecting the fee, with 75 percent going to the state and 25 percent going to the county.

Funds from the surcharge going to the county must be used to support local trial courts and court-related costs.

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*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 2011-2013 biennium, an estimated \$9 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 bill as referred to committee not considered.

**Summary of Bill (Proposed First Substitute):** The surcharges are increased by \$10:

- superior court filing surcharge is \$40;
- filing of an appeal from a court of limited jurisdiction surcharge is \$30; and
- small claims filing surcharge is \$20.

For the 2013-2015 biennium, the surcharges are reduced by 50 percent:

- superior court filing surcharge will be \$20;
- filing of an appeal from a court of limited jurisdiction surcharge will be \$15; and
- small claims filing surcharge will be \$10.

The expiration date for surcharges on superior court and district court filings is extended until July 1, 2015.

**Appropriation:** None.

**Fiscal Note:** Requested on February 24, 2012.  
[OFM requested ten-year cost projection pursuant to I-960.]

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill takes effect on July 1, 2012.