

FINAL BILL REPORT

SHB 1532

C 303 L 21
Synopsis as Enacted

Brief Description: Concerning court filing fees.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Ormsby, Lekanoff, Harris-Talley and Macri).

House Committee on Appropriations
Senate Committee on Ways & Means

Background:

County clerks are elected officials who oversee all record-keeping matters pertaining to the superior courts, including collecting fees, fines, and court-ordered moneys, and disbursing funds. County clerks collect superior court filing fees and other fees for court services as prescribed by statute.

Filing Fees.

Superior and district courts are authorized 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. Revenue from district court filing fees is split with 32 percent going to the state and the remainder going to the county.

Surcharges on Filing Fees.

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

In 2011, legislation was enacted that: (1) extended the surcharges to July 1, 2013; and (2) required that the revenue from the surcharges be split between the state and the county collecting the fee, with the state receiving 75 percent and the county retaining 25 percent.

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

Local revenue going to the counties from the surcharges must be used to support local trial courts and court-related costs. The following year, legislation enacted in 2012 increased the temporary surcharges on filing fees by \$10.

Legislation enacted in 2013 extended the revenue split from the surcharges between the state and the county and the expiration date for the surcharges until July 1, 2017. In 2017, enacted legislation further extended the expiration date for the surcharges until July 1, 2021, except for the surcharges on small claims filings (which had expired in 2013).

State revenue from the 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.

Summary:

The expiration date for surcharges on superior court and district court filings is eliminated and thus surcharges are extended indefinitely.

Votes on Final Passage:

House	63	35
Senate	37	11

Effective: July 1, 2021