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**SUBSTITUTE HOUSE BILL 1532**

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**State of Washington**

**67th Legislature**

**2021 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Ormsby, Lekanoff, Harris-Talley, and Macri)

READ FIRST TIME 03/19/21.

1 AN ACT Relating to court filing fees; amending RCW 3.62.060,  
2 36.18.018, and 36.18.020; providing an effective date; and declaring  
3 an emergency.

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

5 **Sec. 1.** RCW 3.62.060 and 2017 3rd sp.s. c 2 s 1 are each amended  
6 to read as follows:

7 (1) Clerks of the district courts shall collect the following  
8 fees for their official services:

9 (a) In any civil action commenced before or transferred to a  
10 district court, the plaintiff shall, at the time of such commencement  
11 or transfer, pay to such court a filing fee of forty-three dollars  
12 plus any surcharge authorized by RCW 7.75.035. Any party filing a  
13 counterclaim, cross-claim, or third-party claim in such action shall  
14 pay to the court a filing fee of forty-three dollars plus any  
15 surcharge authorized by RCW 7.75.035. No party shall be compelled to  
16 pay to the court any other fees or charges up to and including the  
17 rendition of judgment in the action other than those listed.

18 (b) For issuing a writ of garnishment or other writ, or for  
19 filing an attorney issued writ of garnishment, a fee of twelve  
20 dollars.

21 (c) For filing a supplemental proceeding a fee of twenty dollars.

1 (d) For demanding a jury in a civil case a fee of one hundred  
2 twenty-five dollars to be paid by the person demanding a jury.

3 (e) For preparing a transcript of a judgment a fee of twenty  
4 dollars.

5 (f) For certifying any document on file or of record in the  
6 clerk's office a fee of five dollars.

7 (g) At the option of the district court:

8 (i) For preparing a certified copy of an instrument on file or of  
9 record in the clerk's office, for the first page or portion of the  
10 first page, a fee of five dollars, and for each additional page or  
11 portion of a page, a fee of one dollar;

12 (ii) For authenticating or exemplifying an instrument, a fee of  
13 two dollars for each additional seal affixed;

14 (iii) For preparing a copy of an instrument on file or of record  
15 in the clerk's office without a seal, a fee of fifty cents per page;

16 (iv) When copying a document without a seal or file that is in an  
17 electronic format, a fee of twenty-five cents per page;

18 (v) For copies made on a compact disc, an additional fee of  
19 twenty dollars for each compact disc.

20 (h) For preparing the record of a case for appeal to superior  
21 court a fee of forty dollars including any costs of tape duplication  
22 as governed by the rules of appeal for courts of limited jurisdiction  
23 (RALJ).

24 (i) At the option of the district court, for clerk's services  
25 such as processing ex parte orders, performing historical searches,  
26 compiling statistical reports, and conducting exceptional record  
27 searches, a fee not to exceed twenty dollars per hour or portion of  
28 an hour.

29 (j) For duplication of part or all of the electronic recording of  
30 a proceeding ten dollars per tape or other electronic storage medium.

31 (k) For filing any abstract of judgment or transcript of judgment  
32 from a municipal court or municipal department of a district court  
33 organized under the laws of this state a fee of forty-three dollars.

34 (l) At the option of the district court, a service fee of up to  
35 three dollars for the first page and one dollar for each additional  
36 page for receiving faxed documents, pursuant to Washington state  
37 rules of court, general rule 17.

38 (2) (a) (~~Until July 1, 2021, in~~) In addition to the fees  
39 required to be collected under this section, clerks of the district

1 courts must collect a surcharge of thirty dollars on all fees  
2 required to be collected under subsection (1)(a) of this section.

3 (b) Seventy-five percent of each surcharge collected under this  
4 subsection (2) must be remitted to the state treasurer for deposit in  
5 the judicial stabilization trust account.

6 (c) Twenty-five percent of each surcharge collected under this  
7 subsection (2) must be retained by the county.

8 (3) The fees or charges imposed under this section shall be  
9 allowed as court costs whenever a judgment for costs is awarded.

10 **Sec. 2.** RCW 36.18.018 and 2017 3rd sp.s. c 2 s 2 are each  
11 amended to read as follows:

12 (1) State revenue collected by county clerks under subsection (2)  
13 of this section must be transmitted to the appropriate state court.  
14 The administrative office of the courts shall retain fees collected  
15 under subsection (3) of this section.

16 (2) For appellate review under RAP 5.1(b), two hundred fifty  
17 dollars must be charged.

18 (3) For all copies and reports produced by the administrative  
19 office of the courts as permitted under RCW 2.68.020 and supreme  
20 court policy, a variable fee must be charged.

21 (4) (~~Until July 1, 2021, in~~) In addition to the fee established  
22 under subsection (2) of this section, a surcharge of forty dollars is  
23 established for appellate review. The county clerk shall transmit  
24 seventy-five percent of this surcharge to the state treasurer for  
25 deposit in the judicial stabilization trust account and twenty-five  
26 percent must be retained by the county.

27 **Sec. 3.** RCW 36.18.020 and 2018 c 269 s 17 are each amended to  
28 read as follows:

29 (1) Revenue collected under this section is subject to division  
30 with the state under RCW 36.18.025 and with the county or regional  
31 law library fund under RCW 27.24.070, except as provided in  
32 subsection (5) of this section.

33 (2) Clerks of superior courts shall collect the following fees  
34 for their official services:

35 (a) In addition to any other fee required by law, the party  
36 filing the first or initial document in any civil action, including,  
37 but not limited to an action for restitution, adoption, or change of  
38 name, and any party filing a counterclaim, cross-claim, or third-

1 party claim in any such civil action, shall pay, at the time the  
2 document is filed, a fee of two hundred dollars except, in an  
3 unlawful detainer action under chapter 59.18 or 59.20 RCW for which  
4 the plaintiff shall pay a case initiating filing fee of forty-five  
5 dollars, or in proceedings filed under RCW 28A.225.030 alleging a  
6 violation of the compulsory attendance laws where the petitioner  
7 shall not pay a filing fee. The forty-five dollar filing fee under  
8 this subsection for an unlawful detainer action shall not include an  
9 order to show cause or any other order or judgment except a default  
10 order or default judgment in an unlawful detainer action.

11 (b) Any party, except a defendant in a criminal case, filing the  
12 first or initial document on an appeal from a court of limited  
13 jurisdiction or any party on any civil appeal, shall pay, when the  
14 document is filed, a fee of two hundred dollars.

15 (c) For filing of a petition for judicial review as required  
16 under RCW 34.05.514 a filing fee of two hundred dollars.

17 (d) For filing of a petition for unlawful harassment under RCW  
18 10.14.040 a filing fee of fifty-three dollars.

19 (e) For filing the notice of debt due for the compensation of a  
20 crime victim under RCW 7.68.120(2) (a) a fee of two hundred dollars.

21 (f) In probate proceedings, the party instituting such  
22 proceedings, shall pay at the time of filing the first document  
23 therein, a fee of two hundred dollars.

24 (g) For filing any petition to contest a will admitted to probate  
25 or a petition to admit a will which has been rejected, or a petition  
26 objecting to a written agreement or memorandum as provided in RCW  
27 11.96A.220, there shall be paid a fee of two hundred dollars.

28 (h) Upon conviction or plea of guilty, upon failure to prosecute  
29 an appeal from a court of limited jurisdiction as provided by law, or  
30 upon affirmance of a conviction by a court of limited jurisdiction,  
31 an adult defendant in a criminal case shall be liable for a fee of  
32 two hundred dollars, except this fee shall not be imposed on a  
33 defendant who is indigent as defined in RCW 10.101.010(3) (a) through  
34 (c).

35 (i) With the exception of demands for jury hereafter made and  
36 garnishments hereafter issued, civil actions and probate proceedings  
37 filed prior to midnight, July 1, 1972, shall be completed and  
38 governed by the fee schedule in effect as of January 1, 1972.  
39 However, no fee shall be assessed if an order of dismissal on the  
40 clerk's record be filed as provided by rule of the supreme court.

1 (3) No fee shall be collected when a petition for relinquishment  
2 of parental rights is filed pursuant to RCW 26.33.080 or for forms  
3 and instructional brochures provided under RCW 26.50.030.

4 (4) No fee shall be collected when an abstract of judgment is  
5 filed by the county clerk of another county for the purposes of  
6 collection of legal financial obligations.

7 (5) (a) (~~Until July 1, 2021, in~~) In addition to the fees  
8 required to be collected under this section, clerks of the superior  
9 courts must collect surcharges as provided in this subsection (5) of  
10 which seventy-five percent must be remitted to the state treasurer  
11 for deposit in the judicial stabilization trust account and twenty-  
12 five percent must be retained by the county.

13 (b) On filing fees required to be collected under subsection  
14 (2)(b) of this section, a surcharge of thirty dollars must be  
15 collected.

16 (c) On all filing fees required to be collected under this  
17 section, except for fees required under subsection (2)(b), (d), and  
18 (h) of this section, a surcharge of forty dollars must be collected.

19 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
20 preservation of the public peace, health, or safety, or support of  
21 the state government and its existing public institutions, and takes  
22 effect July 1, 2021.

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