

---

HOUSE BILL 1207

---

State of Washington

69th Legislature

2025 Regular Session

By Representatives Thai and Ryu; by request of Secretary of State

Prefiled 01/09/25. Read first time 01/13/25. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to superior court clerk fees; amending RCW  
2 36.18.020; adding a new section to chapter 36.33 RCW; and adding a  
3 new section to chapter 36.40 RCW.

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

5 **Sec. 1.** RCW 36.18.020 and 2022 c 260 s 17 are each amended to  
6 read as follows:

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

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

13 (a) In addition to any other fee required by law, the party  
14 filing the first or initial document in any civil action, including,  
15 but not limited to an action for restitution, adoption, or change of  
16 name, and any party filing a counterclaim, cross-claim, or third-  
17 party claim in any such civil action, shall pay, at the time the  
18 document is filed, a fee of \$200 except, in an unlawful detainer  
19 action under chapter 59.18 or 59.20 RCW for which the plaintiff shall  
20 pay a case initiating filing fee of \$45, or in proceedings filed  
21 under RCW 28A.225.030 alleging a violation of the compulsory

1 attendance laws where the petitioner shall not pay a filing fee. The  
2 \$45 filing fee under this subsection for an unlawful detainer action  
3 shall not include an order to show cause or any other order or  
4 judgment except a default order or default judgment in an unlawful  
5 detainer action.

6 (b) Any party, except a defendant in a criminal case, filing the  
7 first or initial document on an appeal from a court of limited  
8 jurisdiction or any party on any civil appeal, shall pay, when the  
9 document is filed, a fee of \$200.

10 (c) For filing of a petition for judicial review as required  
11 under RCW 34.05.514 a filing fee of \$200.

12 (d) For filing of a petition for an antiharassment protection  
13 order under RCW 7.105.100 a filing fee of \$53.

14 (e) For filing the notice of debt due for the compensation of a  
15 crime victim under RCW 7.68.120(2)(a) a fee of \$200.

16 (f) In probate proceedings, the party instituting such  
17 proceedings, shall pay at the time of filing the first document  
18 therein, a fee of \$200.

19 (g) For filing any petition to contest a will admitted to probate  
20 or a petition to admit a will which has been rejected, or a petition  
21 objecting to a written agreement or memorandum as provided in RCW  
22 11.96A.220, there shall be paid a fee of \$200.

23 (h) Upon conviction or plea of guilty, upon failure to prosecute  
24 an appeal from a court of limited jurisdiction as provided by law, or  
25 upon affirmance of a conviction by a court of limited jurisdiction,  
26 an adult defendant in a criminal case shall be liable for a fee of  
27 two hundred dollars, except this fee shall not be imposed on a  
28 defendant who is indigent as defined in RCW 10.01.160(3). Upon motion  
29 by the defendant, the court may waive or reduce any fee previously  
30 imposed under this subsection if the court finds that the defendant  
31 is indigent as defined in RCW 10.01.160(3).

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

38 (3) No fee shall be collected when a petition for relinquishment  
39 of parental rights is filed pursuant to RCW 26.33.080 or for forms  
40 and instructional brochures provided under RCW 7.105.115.

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

4 (5)(a) In addition to the fees required to be collected under  
5 this section, clerks of the superior courts must collect surcharges  
6 as provided in this subsection (5) of which 75 percent must be  
7 remitted to the state treasurer for deposit in the judicial  
8 stabilization trust account and 25 percent must be retained by the  
9 county.

10 (b) On filing fees required to be collected under subsection  
11 (2)(b) of this section, a surcharge of \$30 must be collected.

12 (c) On all filing fees required to be collected under this  
13 section, except for fees required under subsection (2)(b), (d), and  
14 (h) of this section, a surcharge of \$40 must be collected.

15 (6) On filing fees required to be collected under subsection  
16 (2)(a), (b), (c), (e), (f), and (g) of this section, a surcharge of  
17 \$100 must be collected, with \$35 transmitted by the county treasurer  
18 to the state treasurer to be deposited in the following manner: \$5 in  
19 the library-archives building account established in RCW 43.07.410,  
20 and \$30 to be deposited in the account identified in RCW 40.14.024.  
21 The remaining funds must be deposited with the county treasurer and  
22 retained in a clerk's administrative assistance fund to be used for  
23 the county clerk's office operations.

24 NEW SECTION. Sec. 2. A new section is added to chapter 36.33  
25 RCW to read as follows:

26 Each county shall establish a county clerk administrative  
27 assistance fund, held by the county treasurer. The fund must be used  
28 only for the statutory obligations of the county clerk's office. Only  
29 the county clerk may authorize expenditures from the fund, and an  
30 appropriation is not required for expenditures.

31 NEW SECTION. Sec. 3. A new section is added to chapter 36.40  
32 RCW to read as follows:

33 The county clerk administrative assistance fund, established  
34 under section 2 of this act, is not subject to appropriation or  
35 budgets by the county legislative authority.

--- END ---