

HOUSE BILL REPORT

HB 1597

As Reported by House Committee On:
Judiciary

Title: An act relating to county law library funding.

Brief Description: Authorizing a filing fee surcharge for funding county law libraries.

Sponsors: Representatives Lantz, Haler, Simpson, Fromhold, P. Sullivan, Shabro, Moeller, Dickerson, Darneille, McDermott and Hudgins.

Brief History:

Committee Activity:

Judiciary: 2/16/05, 2/18/05 [DP].

Brief Summary of Bill

- Authorizes counties to impose a surcharge on filing fees of up to \$15 in superior court and \$6 in district court for the purpose of funding county law libraries.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 10 members: Representatives Lantz, Chair; Flannigan, Vice Chair; Williams, Vice Chair; Priest, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Campbell, Kirby, Serben, Springer and Wood.

Staff: Bill Perry (786-7123).

Background:

Each county with a population of 8,000 or more is required to maintain a county law library. The library is governed by a board of trustees. Counties may join to form a regional law library.

State law provides that \$12 of every new probate or civil filing fee collected in superior court and \$6 of every civil filing fee collected in district court are to be used for the support of the county law library. Upon approval of the library board of trustees and the county legislative authority, the \$12 contribution amount may be increased to \$15.

The filing fee for a civil cause of action in superior court is \$110, and in district court the filing fee is \$31.

Summary of Bill:

Counties are authorized to impose an additional surcharge for civil filing fees for the purpose of additional funding for county law libraries. Upon approval of the county law library board of trustees and the county legislative authority, a surcharge for civil filing fees may be imposed in an amount not to exceed \$15 for superior court and \$6 for district court.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Many people who cannot afford an attorney rely on the county law libraries. People need to be able to find out for themselves what their rights and responsibilities are in a democracy. In order to adequately serve the public, these libraries need to provide trained staff and modern technology. There have been instances of many people successfully pursuing their claims or defending their interests through their own research in county law libraries, including at least one person who successfully won a unanimous decision from the state Supreme Court. The funding for law libraries was last adjusted in the early 1990s. The costs of many legal resources have increased dramatically since then. Many law libraries are having to reduce hours, lay off staff, and eliminate resource collections. The funding through filing fees that could be provided by this bill is largely a user fee since a large percentage of the libraries' patrons have pending cases in the courts. The bill is strictly a local option that counties may choose to use.

Testimony Against: Many small businesses would be hurt by the increased cost of filing a lawsuit under this bill. The bill would increase the costs of trying to collect debts, in particular. Many of the people who pay filing fees are not users of the county law libraries.

Persons Testifying: (In support) Representative Lantz, prime sponsor; Jean Holcomb, King County Law Library; Mary Mulcahy; Maria Sosnowski, Clark County Law Library; Laurie Miller, Pierce County Law Library; and Steve Hamaker.

(Opposed) Vickie Visculgia, Washington Collection Association.

Persons Signed In To Testify But Not Testifying: None.