



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**May 10, 2004**

**Ordinance 14905**

**Proposed No.** 2004-0106.2

**Sponsors** Gossett

1 AN ORDINANCE related to changes in fees for services  
2 provided by the department of judicial administration;  
3 amending Ordinance 9348, Section 1, and K.C.C. 4.70.010,  
4 Ordinance 9348, Section 2, as amended, and K.C.C.  
5 4.70.020, Ordinance 13330, Section 16, as amended, and  
6 K.C.C. 4.71.050, Ordinance 13330, Section 18, and K.C.C.  
7 4.71.060, Ordinance 8752, Sections 1 through 3, as  
8 amended, and K.C.C. 4.71.100 and Ordinance 9774,  
9 Section 1, as amended, and K.C.C. 4.73.010, adding new  
10 sections to K.C.C. chapter 4.83, and repealing Ordinance  
11 10645, Section 1, and K.C.C. 4.75.010, Ordinance 10645,  
12 Section 2, and K.C.C. 4.75.020 and Ordinance 10645,  
13 Section 3, and K.C.C. 4.75.030.

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**BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:**

17            SECTION 1. A. Section 2 of this ordinance proposes a change in the types of  
18 recordings that the department of judicial administration may sell of recorded  
19 proceedings in the courtroom, to include audio analog or digital recordings.

20            B. This fee is assessed pursuant to RCW 36.18.016(11) and RCW 36.18.050.

21            SECTION 2. Ordinance 9348, Section 1, and K.C.C. 4.70.010 are each hereby  
22 amended to read as follows:

23            **Authorization to assess fee.** The department of judicial administration is hereby  
24 authorized to assess fees for duplication or production of recordings in the courtroom  
25 using video ~~((cassette recorders (VCRs) of video tapes used))~~, audio analog or digital  
26 recording devices to record King County ~~((S))~~superior ~~((C))~~court proceedings.

27            SECTION 3. A. Section 4 of this ordinance sets the fee for copying video, audio  
28 analog or digital recordings of the proceedings in King County superior court.

29            B. This fee is assessed pursuant to RCW 36.18.016(11) and RCW 36.18.050.

30            SECTION 4. Ordinance 9348, Section 2, as amended, and K.C.C. 4.70.020 are  
31 each hereby amended to read as follows:

32            **Fees.** The ~~((tape))~~ duplication fee for copying ~~((tapes))~~ video, analog audio or  
33 digital recordings produced in King County ~~((S))~~superior ~~((C))~~court, after the original  
34 recording has been completed, shall be ~~((25.00))~~ twenty-five dollars per video tape or  
35 ten dollars per audio analog or digital recording, to cover administrative and duplicating  
36 costs. A fee of ~~((15.00))~~ fifteen dollars per video tape shall be charged for tapes created  
37 using additional ~~((VCRs))~~ video cassette recorders in the courtroom during the court  
38 proceedings.

39            SECTION 5. A. Section 6 of this ordinance clarifies who may be charged a fee  
40 by the department of judicial administration for failure to bring a case filed with the  
41 superior court to completion because of noncompliance with the case schedule.

42            B. This fee is assessed pursuant to K.C.C. 4.71.050.

43            SECTION 6. Ordinance 13330, Section 16, as amended, and K.C.C. 4.71.050 are  
44 each hereby amended to read as follows:

45            **Fee – failure to bring case to completion.** The department of judicial  
46 administration is hereby authorized to assess a fee to either parties to an action filed with  
47 the superior court or attorneys representing the parties, or both, who fail to bring cases to  
48 completion because of failure to appear for trial, failure to file final order on settlement,  
49 failure to follow case schedule, failure to file final judgment or appeal following an  
50 arbitration award, lack of action of record((;)) or failure to comply with court-ordered  
51 deadlines for reports. The fee assessed shall be thirty dollars to cover costs associated  
52 with identifying these cases and notifying either the parties or the attorneys, or both.

53            SECTION 7. A. Section 8 of this ordinance states the department of judicial  
54 administration will assess fees for actual costs for transmittal of legal case documents.

55            B. This fee is assessed pursuant to K.C.C. 4.71.060.

56            SECTION 8. Ordinances 13330, Section 18, and K.C.C. 4.71.060 are each  
57 hereby amended to read as follows:

58            **Fee – transmittal of legal case documents for appeal.** The department of  
59 judicial administration is hereby authorized to assess a fee to parties requesting  
60 transmittal of legal case documents to the Washington State Court of Appeals or  
61 Washington State Supreme Court as part of an appeal from the decision in a King County

62 superior court case. The fee assessed for transmittal of the documents shall be ~~((twenty-~~  
63 ~~five dollars per transmittal to cover all costs of transmittal of the documents))~~ the actual  
64 cost to the department for the transmittal of the documents.

65 SECTION 9. A. Section 10 of this ordinance clarifies who may be charged a fee  
66 by the department of judicial administration for documents filed that require extra  
67 handling because of errors or lack of completeness, and states that the department shall  
68 make a decision to return those documents on a case-by-case basis.

69 B. This fee is assessed pursuant to K.C.C. 4.71.100.

70 SECTION 10. Ordinance 8752, Sections 1 through 3, as amended, and K.C.C.  
71 4.71.100 are each hereby amended to read as follows:

72 **Fee for documents filed with clerk's office that require extra handling.** The  
73 department of judicial administration is hereby authorized to assess a fee to anyone who  
74 files a document that ~~((must be returned))~~ requires special handling because of errors or  
75 lack of completeness ~~((and that therefore requires extra handling))~~. The department shall  
76 make the decision to return the document to the filer on a case-by-case basis.

77 The fee assessed for a document ~~((which must be returned))~~ that requires extra  
78 handling because of errors or lack of completeness ~~((in the document))~~ shall be fifteen  
79 dollars for each incorrect or incomplete document ~~((returned))~~ to cover all costs of the  
80 extra handling required.

81 SECTION 11. A. Section 12 of this ordinance indicates the fee the department of  
82 judicial administration may assess for noncertified copies of documents from legal case  
83 files, including documents printed from microfilm and the electronic court record system.

84 B. This fee is assessed pursuant to K.C.C. 4.73.010.

85            SECTION 12. Ordinance 9774, Section 1, as amended, and K.C.C. 4.73.010 are  
86 each hereby amended to read as follows:

87            **Fees.** The department of judicial administration is hereby authorized to assess a  
88 fee for providing non((-)certified copies of legal case files. The charge shall be (~~(\$50)~~)  
89 fifty cents per page to cover all costs associated with legal case file copying. Documents  
90 printed from the department's electronic court record system and microfilm shall be  
91 twenty-five cents per page. Self-service copies shall be fifteen cents per page. The  
92 department of judicial administration shall establish a procedure for the collection of  
93 (~~this~~) the fees in this section.

94            SECTION 13. Ordinance 10645, Section 1, and K.C.C. 4.75.010, Ordinance  
95 10645, Section 2, and K.C.C. 4.75.020 and Ordinance 10645, Section 3, and K.C.C.  
96 4.75.030 are each hereby repealed.

97            SECTION 14. A. Section 15 of this ordinance indicates that the department of  
98 judicial administration may charge a disposal fee for court exhibits not withdrawn by the  
99 parties following case completion. Before the commencement of trial, parties sign a  
100 stipulation that between forty-five and ninety days following case completion, exhibits  
101 will be withdrawn. Case completion is identified as meeting one of the following four  
102 conditions: the judgment of acquittal is filed; the final judgment is filed; the judgment,  
103 decree or order becomes final after appeal; or a dismissal is filed. The stipulation  
104 indicates that exhibits not withdrawn during this timeframe will be destroyed.

105            B. This fee is assessed pursuant to RCW 36.18.016(10).

106            NEW SECTION. SECTION 15. There is hereby added to K.C.C. chapter 4.83 a  
107 new section to read as follows:

108                   **Fee – destruction of exhibits.**

109                   A. The department of judicial administration is hereby authorized to assess a fee  
110 for the disposal of court exhibits not withdrawn by the parties forty-five to ninety days  
111 following case completion. This fee is assessed pursuant to RCW 36.18.016(10).

112                   B. The fee assessed shall be twenty dollars.

113                   C. The department of judicial administration shall establish a procedure for the  
114 collection of the fee.

115                   SECTION 16. A. Section 17 of this ordinance indicates that the department of  
116 judicial administration may charge a fee for the conversion of items that cannot  
117 realistically be stored within the court file. Items subject to section 17 of this ordinance  
118 will be converted as file exhibits. Items are converted to file exhibits when the items  
119 either cannot be scanned electronically or cannot be retained indefinitely, such as  
120 photographs, videotapes, X-rays and similar items. King County Local Rule 79(2)(d)  
121 allows, upon court order, such items to be retained "as an exhibit in the cause."

122                   B. Superior Court Order No. 95-2-12050-4 defines file exhibits and provides for  
123 their retention and disposition.

124                   C. This fee is assessed pursuant to RCW 36.18.016(10).

125                   NEW SECTION. SECTION 17. There is hereby added to K.C.C. chapter 4.83 a  
126 new section to read as follows:

127                   **Fee – conversion of file exhibits.**

128                   A. The department of judicial administration is hereby authorized to assess a fee  
129 for the conversion of items that are inappropriate for filing in the court file to file  
130 exhibits. This fee is assessed pursuant to RCW 36.18.016(10).

**Ordinance 14905**

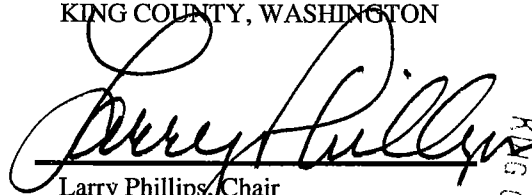
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- 131           B. The fee assessed shall be twenty dollars.
- 132           C. The department of judicial administration shall establish a procedure for the
- 133 collection of the fee.
- 134

Ordinance 14905 was introduced on 3/8/2004 and passed by the Metropolitan King County Council on 5/10/2004, by the following vote:


Yes: 10 - Mr. Phillips, Ms. Edmonds, Ms. Lambert, Mr. Pelz, Mr. McKenna,  
Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague and Mr. Constantine  
No: 0  
Excused: 3 - Mr. von Reichbauer, Mr. Irons and Ms. Patterson

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

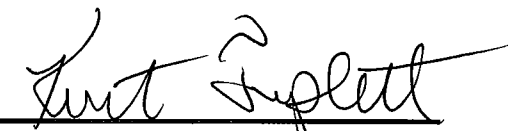
  
Larry Phillips, Chair

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KING COUNTY COUNCIL

ATTEST:

  
\_\_\_\_\_  
Anne Noris, Clerk of the Council

APPROVED this 21<sup>st</sup> day of May, 2004.

  
\_\_\_\_\_  
for Ron Sims, County Executive

Attachments       None