

## CHAPTER 51.

[ S. B. 73. ]

## RELATING TO FEES OF JURORS, PUBLIC OFFICERS, AND WITNESSES.

AN ACT relating to fees of jurors, public officers, witnesses, and amending sections 2.32.070, 2.36.150, 2.40.010, 36.18.010, 36.18.020, 36.18.040, 42.28.090, R.C.W.

*Be it enacted by the Legislature of the State of Washington:*

Amendment. SECTION 1. Section 2.32.070, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:

Fees of supreme court clerk. The clerk of the supreme court shall collect the following fees for his official services:

Filing first paper. Upon filing his first paper or record and making an appearance in the supreme court, the appellant shall pay to the clerk of said court a docket fee of five dollars.

Respondent's appearance. Upon making his appearance in the supreme court, the respondent in any appealed case shall pay to the clerk a fee of two dollars.

Special proceeding; petitioner's appearance. The applicant or petitioner in any special proceeding in the supreme court, upon making his appearance, shall pay to the clerk thereof a fee of three dollars.

Same; respondent's appearance. The respondent in a special proceeding, and each respondent appearing separately therein, at the time of his appearance shall pay to the clerk a fee of one dollar.

Opinions. For copies of opinions of the supreme court, ten cents per folio.

Certificates to practice law. For certificates showing admission of an attorney to practice law one dollar, except that there shall be no fee for an original certificate to be issued at the time of his admission.

The foregoing fees shall be all the fees connected with the appeal or special proceeding.

No fees shall be required to be advanced by the state or any municipal corporation, or any public officer prosecuting or defending on behalf of such state or municipal corporation.

Advance of fees; not required of state or municipal corporations.

For all services for which no fee is herein prescribed, the clerk of the supreme court shall receive the same fees as are prescribed for clerks of the superior courts for like services.

Where fee not prescribed, superior court schedule applies.

[Am. R.R.S. § 497 (part relating to supreme court).]

SEC. 2. Section 2.36.150, R.C.W., as derived from section 1, chapter 171, Laws of 1927, is amended to read as follows:

Amendment.

Each grand and petit juror shall receive for each day's attendance upon the superior court, beside mileage, five dollars; for each day's attendance upon a justice of the peace court, four dollars; for serving on a coroner's jury, per day, four dollars; mileage, each way, per mile, ten cents: *Provided*, That a person excused from jury service at his own request shall be allowed not more than a *per diem* and such mileage, if any, as to the court shall seem just and equitable under all circumstances.

Jurors fees.

[Am. Rem. Supp. 1943, § 4229.]

SEC. 3. Section 2.40.010, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:

Amendment.

Witnesses shall receive for each day's attendance in all courts of this state, besides mileage at ten cents per mile each way, four dollars.

Witness fees.

[Am. R.R.S. § 497 (part relating to witness fees).]

SEC. 4. Section 36.18.010, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:

Amendment.

County auditors shall collect the following fees for their official services: For filing or recording, or both, of each chattel mortgage and conditional sale contract, and entering same as required by law,

County auditors fees.

Chattel mtgs. and contracts.

- Release.** one dollar; for release of chattel mortgage or conditional sale contract, fifty cents;
- Instruments.** For filing or recording, or both, of instruments, for the first page, legal size (eight and one-half by thirteen inches or less), one dollar; for each additional legal size page, fifty cents; for indexing each name over two, ten cents: *Provided*, That there shall be an additional fee of one dollar for recording each deed, real estate contract or assignment of real estate contract which does not contain the mailing address of the grantee, purchaser or assignee;
- Instrument not containing mailing address.**
- Marginal release.** For marginal release of mortgage or lien, fifty cents;
- Certified copies.** For preparing and certifying copies, for the first legal size page, one dollar; for each additional legal size page, fifty cents;
- Oaths.** For administering an oath or taking an affidavit, with or without seal, one dollar;
- Marriage licenses.** For issuing marriage license, five dollars, (this fee includes taking necessary affidavits, filing returns and indexing);
- Record search.** For searching records per hour, two dollars;
- Recording plats.** For recording plats, twenty-five cents for each lot except cemetery plats for which the charge shall be ten cents per lot; also one dollar for each acknowledgment, dedication, and description: *Provided*, That there shall be a minimum fee of fifteen dollars per plat;
- Miscellaneous records.** For filing or recording, or both, of miscellaneous records, not listed above, for first legal size page, one dollar and twenty-five cents; for each additional legal size page, fifty cents.  
[Am. R.R.S. § 4105.]
- Amendment.** SEC. 5. Section 36.18.020, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:
- Fees of superior court clerks.** Clerks of superior courts shall collect the following fees for their official services: The plaintiff,

or other party instituting any civil action or proceeding, or the appellant on appeal from justice court, when the case is entered in the superior court or when the first paper on his part is filed therein, shall pay a fee of five dollars;

Plaintiff or other instituting party.

For defendant, or other adverse party, or any one or more of several defendants or other adverse parties, or interveners, appearing separately from the others, or a respondent on appeal from justice court, shall pay when his or their appearance is entered in the cause, or when his or their first appearance is filed therein, a fee of three dollars;

Defendant, other adverse party, or intervener.

For preparing and certifying copies, or transcripts of records, with or without seal for the first legal size page, one dollar; for each additional legal size page, fifty cents;

Preparing and certifying copies or transcripts.

For the certifying of copies furnished or transcripts of records furnished which copies or transcripts are not prepared by the clerk, one dollar for the first legal size or smaller page and twenty-five cents for each additional legal size or smaller page;

Certifying copies or transcripts elsewhere prepared.

For the entry of judgment or dismissal in all civil actions, with or without costs, three dollars shall be paid if no adverse party has appeared; otherwise six dollars;

Entry of judgment or dismissal.

In probate proceedings, the party instituting such proceedings shall pay, at the time of the filing of the first paper therein, a fee of six dollars; upon the filing of a petition for the sale of real estate, there shall be paid at the time of filing such petition a fee of three dollars; upon the filing of a final account in the settlement of the decedent's estate, there shall be paid a fee of six dollars; for filing any petition to contest a will admitted to probate, there shall be paid a fee of twenty-five dollars;

Probate proceedings.

For filing the transcript of a judgment from any United States court held in this state, or from the

Filing transcript of judgment.

superior court of another county or from a justice court, the clerk shall collect three dollars;

Commissions for depositions.

For issuing a commission to take a deposition, the clerk shall collect one dollar, which shall be in addition to other fees in civil matters;

Approving bond.

For approving a bond in an ordinary civil action or in a probate proceeding there shall be no charge; in all other cases the charge shall be one dollar;

Taking affidavit or filing extraneous papers.

For taking an affidavit, for filing any paper, not related to or a part of any proceeding, civil or criminal, or any probate matter, required or permitted to be filed in his office for which no other charge is provided by law, the clerk shall collect one dollar.

[Am. R.R.S. § 497 (part relating to clerk's fees).]

Amendment.

SEC. 6. Section 36.18.040, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:

Sheriffs fees.

Sheriffs shall collect the following fees for their official services: For service of each summons and complaint, and return thereon, on each defendant, besides mileage, one dollar;

Service of summons and complaint.

Return "not found."

For making a return of "not found" in the county upon a summons, besides mileage actually traveled, one dollar;

Attachment or execution; levy.

For levying each writ of attachment or writ of execution upon real or personal property, besides mileage, one dollar;

Same; filing.

For filing copy of writ of attachment or writ of execution with auditor, one dollar plus auditor's filing fee;

Chattel mortgage foreclosure.

For chattel mortgage foreclosure (short form), levy one dollar; posting notice, two dollars; service of notice, one dollar;

Writ of possession or restitution.

For serving writ of possession or restitution without aid of the county, besides mileage, one dollar and fifty cents;

For serving writ of possession or restitution with

aid of the county, besides mileage, two dollars and fifty cents;	Same; with county aid.
For service and return of subpoena, upon each person served, besides mileage, fifty cents;	Subpoena.
For summoning each juror, besides mileage, fifty cents;	Summoning jurors.
For serving an arrest warrant in any action or proceeding, besides mileage, two dollars;	Arrest warrant.
For serving or executing any other writ or process in a civil action or proceeding, besides mileage, one dollar;	Miscellaneous writs.
For taking and approving any bond, in a civil action or proceeding, required by law to be taken or approved by him, except indemnity bonds, one dollar;	Taking bonds.
For each mile actually and necessarily traveled by him in going to or returning from any place of service, ten cents;	Mileage.
For making a deed to lands sold upon execution or order of sale or other decree of court, to be paid by the purchaser, three dollars;	Deeds.
For making copies of papers when sufficient copies are not furnished, fifty cents per legal size page for each copy;	Copies.
For the service of any process for which no other fee is provided for herein, one dollar;	Miscellaneous services.
For the making of any return for which no other fee is provided herein, one dollar;	Miscellaneous returns.
For the execution of any process for which no other fee is provided herein, two dollars;	Miscellaneous executions.
For the service of affidavit and bond in replevin, one dollar for each defendant; approval of bond, one dollar; taking property, one dollar;	Replevin.
For posting notices of sale, or postponement, one dollar besides mileage;	Notice of sale or postponement.
For certificate of sale of real property, two dollars and fifty cents;	Certificate of sale.

- Redemption.** For serving notice of redemption, one dollar; certificate of redemption, two dollars and fifty cents;  
For making a return of no property found, one dollar;
- Estray sales.** For estray sales, crying sale, one dollar, besides mileage.  
[Am. R.R.S. § 497 (part relating to sheriffs' fees).]
- Amendment.** SEC. 7. Section 42.28.090, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:
- Notaries fees.** Notaries public may make but not exceed the following charges for their services:
- Protest.** Protest of a bill of exchange or promissory note, one dollar;
- Attestation.** Attesting any instrument of writing with or without seal, one dollar;
- Acknowledgment.** Taking acknowledgment, two persons, with seal, one dollar;  
Taking acknowledgment, each person over two, fifty cents;
- Certifying affidavit.** Certifying affidavit, with or without seal, one dollar;
- Registering protest.** Registering protest of bill of exchange or promissory note for non-acceptance or non-payment, fifty cents;
- Noting demand, tender, or deposit.** Being present at demand, tender, or deposit, and noting the same, besides mileage at the rate of ten cents per mile, fifty cents;
- Noting bill or note.** Noting a bill of exchange or promissory note, for non-acceptance or non-payment, fifty cents;
- Copying.** For copying any instrument or record, per folio, besides certificate and seal, fifteen cents.
- Fees of salaried officers.** All public officers who are paid a salary in lieu of fees shall collect the prescribed fees for the use of the state or county as the case may be.  
[Am. R.R.S. § 9907.]  
Passed the Senate March 4, 1951.  
Passed the House March 3, 1951.  
Approved by the Governor March 13, 1951.