Chapter 36.18 RCW
FEES OF COUNTY OFFICERS

Sections

36.18.005 Definitions.
36.18.010 Auditor's fees.
36.18.012 Various fees collected—Division with state.
36.18.014 Fees—Division with county law library—Petition for emancipation for minors.
36.18.016 Various fees collected—Not subject to division.
36.18.018 Fees to state court, administrative office of the courts—Appellate review fee and surcharge—Variable fee for copies and reports.
36.18.020 Clerk's fees, surcharges.
36.18.022 Filing fees may be waived—When.
36.18.025 Portion of filing fees to be remitted to state treasurer.
36.18.030 Coroner's fees.
36.18.040 Sheriff's fees.
36.18.045 Treasurer's fees.
36.18.050 Fees in special cases.
36.18.060 Fees payable in advance—Exception.
36.18.070 Single mileage chargeable when.
36.18.080 Fee schedule to be kept posted.
36.18.090 Itemized receipt to be given.
36.18.160 Penalty for taking illegal fees.
36.18.170 Penalty for failure to pay over fees.
36.18.180 Office to be declared vacant on conviction.
36.18.190 Collection of unpaid financial obligations—Collection contracts—Interest to collection agencies authorized.

RCW 36.18.005 Definitions. The definitions set forth in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Recording officer" means the county auditor, or in charter counties the county official charged with the responsibility for recording instruments in the county records.

(2) "File," "filed," or "filing" means the act of delivering an instrument to the auditor or recording officer for recording into the official public records.

(3) "Record," "recorded," or "recording" means the process, such as electronic, mechanical, optical, magnetic, or microfilm storage used by the auditor or recording officer after filing to incorporate the instrument into the public records.

(4) "Multiple transactions" means a document that contains two or more titles and/or two or more transactions requiring multiple indexing. [1999 c 233 s 2; 1991 c 26 s 1.]

Effective date—1999 c 233: See note following RCW 4.28.320.

RCW 36.18.010 Auditor's fees. Except as otherwise ordered by the court pursuant to RCW 4.24.130, county auditors or recording officers shall collect the following fees for their official services:

(1) For recording instruments, for the first page eight and one-half by 14 inches or less, $5; for each additional page eight and one-half by 14 inches or less, $1. The fee for recording multiple transactions contained in one instrument will be calculated for each transaction requiring separate indexing as required under RCW 65.04.050 as follows: The fee for each title or transaction is the same fee as the first page of any additional recorded document; the fee for additional pages is the same fee as for any additional pages for any recorded document; the fee for the additional pages may be collected only once and may not be collected for each title or transaction;

(2) For preparing and certifying copies, for the first page eight and one-half by 14 inches or less, $3; for each additional page eight and one-half by 14 inches or less, $1;

(3) For preparing noncertified copies, for each page eight and one-half by 14 inches or less, $1;

(4) For administering an oath or taking an affidavit, with or without seal, $2;

(5) For issuing a marriage license:

(a) An $8 fee, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics); plus

(b) An additional $5 fee for use and support of the prevention of child abuse and neglect activities to be transmitted monthly to the state treasurer and deposited in the state general fund; plus

(c) An additional $10 fee to be transmitted monthly to the state treasurer and deposited in the state general fund; plus

(d) An additional $100 fee to be transmitted monthly to the state treasurer for deposit into the domestic violence co-responder account created in RCW 43.280.130;

(6) For searching records per hour, $8;

(7) For recording plats, 50 cents for each lot except cemetery plats for which the charge shall be 25 cents per lot; also $1 for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of $25 per plat;

(8) For recording of miscellaneous records not listed above, for the first page eight and one-half by 14 inches or less, $5; for each additional page eight and one-half by 14 inches or less, $1;

(9) For modernization and improvement of the recording and indexing system, a surcharge as provided in RCW 36.22.170;

(10) For recording an emergency nonstandard document as provided in RCW 65.04.047, $50, in addition to all other applicable recording fees;

(11) For recording instruments, a $3 surcharge to be deposited into the Washington state library operations account created in RCW 43.07.129;

(12) For recording instruments, a $2 surcharge to be deposited into the Washington state library-archives building account created in RCW 43.07.410 until the financing contract entered into by the secretary of state for the Washington state library-archives building is paid in full;

(13) For recording instruments, the surcharge as provided in RCW 36.22.250; and

(14) For recording instruments, except for documents exempt under RCW 36.22.185(2), an assessment as provided in RCW 36.22.185. [2025 c 345 s 3. Prior: 2023 c 340 s 8; 2023 c 277 s 9; 2022 c 141 s 2; 2019 c 448 s 3; 2015 3rd sp.s. c 28 s 1; 2007 c 523 s 2; prior: 2005 c 484 s

19; 2005 c 374 s 1; 2002 c 294 s 3; 1999 c 233 s 3; 1996 c 143 s 1; 1995 c 246 s 37; 1991 c 26 s 2; prior: 1989 c 304 s 1; 1989 c 204 s 6; 1987 c 230 s 1; 1985 c 44 s 2; 1984 c 261 s 4; 1982 1st ex.s. c 15 s 7; 1982 c 4 s 12; 1977 ex.s. c 56 s 1; 1967 c 26 s 8; 1963 c 4 s 36.18.010; prior: 1959 c 263 s 6; 1953 c 214 s 2; 1951 c 51 s 4; 1907 c 56 s 1, part, p 92; 1903 c 151 s 1, part, p 295; 1893 c 130 s 1, part, p 423; Code 1881 s 2086, part, p 358; 1869 p 369 s 3; 1865 p 94 s 1; part; 1863 p 391 s 1, part, p 394; 1861 p 34 s 1, part, p 37; 1854 p 368 s 1, part, p 371; RRS ss 497, part, 4105.]

Short title—Conflict with federal requirements—2023 c 340: See notes following RCW 43.181.040.

Effective date—2022 c 141: See note following RCW 4.24.130.

Findings—Intent—2019 c 448: See note following RCW 43.07.405.

Effective date—2007 c 523 s 2: "Section 2 of this act takes effect January 1, 2008." [2007 c 523 s 8.]

Contingency—2007 c 523: See note following RCW 43.07.128.

Findings—Conflict with federal requirements—Effective date—2005 c 484: See RCW 43.185C.005, 43.185C.901, and 43.185C.902.

Findings—2002 c 294: "The legislature recognizes housing affordability has become a significant problem for a large portion of society in many parts of Washington state in recent years. The state has traditionally focused its resources on housing for low-income populations. Additional funding resources are needed for building operation and maintenance activities for housing projects affordable to extremely low-income people, for example farmworkers or people with developmental disabilities. Affordable rents for extremely low-income people are not sufficient to cover the cost of building operations and maintenance. In addition resources are needed at the local level to assist in development and preservation of affordable low-income housing to address critical local housing needs." [2002 c 294 s 1.]

Effective date—1999 c 233: See note following RCW 4.28.320.

Effective date—1996 c 143: "This act shall take effect January 1, 1997." [1996 c 143 s 5.]

Effective date—1995 c 246 s 37: "Section 37 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately [May 5, 1995]." [1995 c 246 s 39.]

Findings—1989 c 204: See note following RCW 36.22.160.

Effective date—1987 c 230: "This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect July 1, 1987." [1987 c 230 s 4.]

Effective date—1967 c 26: See note following RCW 43.70.150.

Family court funding, marriage license fee increase authorized: RCW 26.12.220.

RCW 36.18.012 Various fees collected—Division with state. (1) Revenue collected under this section is subject to division with the state.

(2) The party filing a transcript or abstract of judgment or verdict from a United States court held in this state, or from the superior court of another county or from a district court in the county of issuance, shall pay at the time of filing a fee of twenty dollars.

(3) The clerk shall collect a fee of twenty dollars for: Filing a document not related to or a part of a proceeding, civil or criminal, or a probate matter, required or permitted to be filed in the clerk's office for which no other charge is provided by law.

(4) If the defendant serves or files an answer to an unlawful detainer complaint under chapter 59.18 or 59.20 RCW, the plaintiff shall pay before proceeding with the unlawful detainer action one hundred twelve dollars.

(5) Any party filing a counterclaim, cross-claim, or third-party claim in an unlawful detainer action under chapter 59.18 or 59.20 RCW shall pay the equivalent to the total filing fee of an unlawful detainer action pursuant to RCW 36.18.020, including the fee for an unlawful detainer answer pursuant to subsection (4) of this section.

(6) For a restrictive covenant for filing a petition to strike discriminatory provisions in real estate under RCW 49.60.227 a fee of twenty dollars must be charged.

(7) A fee of twenty dollars must be charged for filing a will only, when no probate of the will is contemplated.

(8) A fee of twenty dollars must be charged for filing a petition, written agreement, or written memorandum in a nonjudicial probate dispute under RCW 11.96A.220, if it is filed within an existing case in the same court.

(9) A fee of thirty-five dollars must be charged for filing a petition regarding a common law lien under RCW 60.70.060.

(10) For the filing of a tax warrant for unpaid taxes or overpayment of benefits by any agency of the state of Washington, a fee of five dollars on or after July 22, 2001, and for the filing of such a tax warrant or overpayment of benefits on or after July 1, 2003, a fee of twenty dollars, of which forty-six percent of the first five dollars is directed to the state general fund. [2009 c 479 s 20; 2009 c 417 s 1; 2006 c 192 s 1; 2005 c 457 s 17; 2001 c 146 s 1; 1999 c 42 s 634; 1996 c 211 s 1; 1995 c 292 s 12.]

Reviser's note: This section was amended by 2009 c 417 s 1 and by 2009 c 479 s 20, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2009 c 479: See note following RCW 2.56.030.

Intent—2005 c 457: See note following RCW 43.08.250.

Effective date—1999 c 42: See RCW 11.96A.902.

RCW 36.18.014 Fees—Division with county law library—Petition for emancipation for minors. (1) Revenue collected under this section is subject to division with the county law library under RCW 27.24.070.

(2) For filing a petition for emancipation for minors as required under RCW 13.64.020 a fee up to fifty dollars must be collected. [1995 c 292 s 13.]

RCW 36.18.016 Various fees collected—Not subject to division. (1) Revenue collected under this section is not subject to division under RCW 36.18.025 or 27.24.070.

(2)(a) For the filing of a petition for modification of a decree of dissolution or paternity, within the same case as the original action, and any party filing a counterclaim, cross-claim, or third-party claim in any such action, a fee of $36 must be paid.

(b) The party filing the first or initial petition for dissolution, legal separation, or declaration concerning the validity of marriage shall pay, at the time and in addition to the filing fee required under RCW 36.18.020, a fee of $54. The clerk of the superior court shall transmit monthly $48 of the $54 fee collected under this subsection to the state treasury for deposit in the domestic violence prevention account. The remaining six dollars shall be retained by the county for the purpose of supporting community-based domestic violence services within the county, except for five percent of the six dollars, which may be retained by the court for administrative purposes. On or before December 15th of each year, the county shall report to the department of social and health services revenues associated with this section and community-based domestic violence services expenditures. The department of social and health services shall develop a reporting form to be utilized by counties for uniform reporting purposes.

(3)(a) The party making a demand for a jury of six in a civil action shall pay, at the time, a fee of $125; if the demand is for a jury of 12, a fee of $250. If, after the party demands a jury of six and pays the required fee, any other party to the action requests a jury of 12, an additional $125 fee will be required of the party demanding the increased number of jurors.

(b) Upon conviction in criminal cases a jury demand charge of $125 for a jury of six, or $250 for a jury of 12 may be imposed as costs under RCW 10.46.190.

(4) The following fees will be charged for copies made by the superior court clerk's office:

(a) For preparing a certified copy of a court document on file or of record in the clerk's office, a fee of $5 will be charged for the first page plus a fee of $1 for each additional page.

(b) For authenticating or exemplifying a court document on file or of record, in addition to the fee to prepare the certified copy in subsection (2)(a) of this section, a fee of $2 for each additional seal affixed must be charged.

(c) For providing a copy without a seal, a fee of 50 cents per page must be charged.

(d) For providing a photograph of an exhibit, a fee of $5 per photo must be charged.

(e) For providing a copy of a digital or electronic exhibit, a fee of $25 per exhibit must be charged.

(f) For copies delivered on an electronic storage medium, a fee of $5 must be charged.

(g) The clerk may charge for the cost of posting and mailing the copies, plus a $2 handling fee.

(5) For executing a certificate, with or without a seal, a fee of two dollars must be charged.

(6) For a garnishee defendant named in an affidavit for garnishment and for a writ of attachment, a fee of $20 must be charged.

(7) For filing a supplemental proceeding, a fee of $20 must be charged.

(8) For approving a bond, including justification on the bond, in other than civil actions and probate proceedings, a fee of two dollars must be charged.

(9) For the issuance of a certificate of qualification and a certified copy of letters of administration, letters testamentary, or letters of guardianship, there must be a fee of five dollars.

(10) For the preparation of a passport application, the clerk may collect an execution fee as authorized by the federal government.

(11) For clerk's services such as performing historical searches, compiling statistical reports, and conducting exceptional record searches, the clerk may collect a fee not to exceed $30 per hour.

(12) For processing ex parte orders, the clerk may collect a fee of $30.

(13) For preparing a copy of the audio or video recording from a court proceeding, a fee of $25 per court date must be charged.

(14) For the issuance of extension of judgment under RCW 6.17.020 and chapter 9.94A RCW, a fee of $200 must be charged. When the extension of judgment is at the request of the clerk, the $200 charge may be imposed as court costs under RCW 10.46.190.

(15) A facilitator surcharge of up to $20 must be charged as authorized under RCW 26.12.240.

(16) For filing an adjudication claim under RCW 90.03.180, a fee of $25 must be charged.

(17) For filing a claim of frivolous lien under RCW 60.04.081 or 60.90.130 or filing an action to release a lien under RCW 60.90.090 and 60.90.140, a fee of $35 must be charged.

(18) For preparation of a change of venue, a fee of $20 must be charged by the originating court in addition to the per page charges in subsection (4) of this section.

(19) A service fee of five dollars for the first page and one dollar for each additional page must be charged for receiving faxed documents, pursuant to Washington state rules of court, general rule 17.

(20) For preparation of clerk's papers, a fee of 50 cents per page must be charged.

(21) For copies and reports produced at the local level as permitted by RCW 2.68.020 and supreme court policy, a variable fee must be charged.

(22) Investment service charge and earnings under RCW 36.48.090 must be charged.

(23) Costs for nonstatutory services rendered by clerk by authority of local ordinance or policy must be charged.

(24) For filing a request for civil arbitration, a filing fee may be assessed against the party filing a statement of arbitrability not to exceed $250 as established by authority of local ordinance. $220 of this charge shall be used to offset the cost of the civil arbitration

program. $30 of each fee collected under this subsection must be used for indigent defense services.

(25) For filing a request for trial de novo of a civil arbitration award, a fee not to exceed $400 as established by authority of local ordinance must be charged.

(26) A public agency may not charge a fee to a law enforcement agency, for preparation, copying, or mailing of certified copies of the judgment and sentence, information, affidavit of probable cause, and/or the notice of requirement to register, of a sex offender convicted in a Washington court, when such records are necessary for risk assessment, preparation of a case for failure to register, or maintenance of a sex offender's registration file.

(27) For the filing of a will or codicil under the provisions of chapter 11.12 RCW, a fee of $20 must be charged.

(28) A surcharge of up to $20 may be charged in dissolution and legal separation actions as authorized by RCW 26.12.260.

(29) The revenue to counties from the fees established in this section shall be deemed to be complete reimbursement from the state for the state's share of benefits paid to the superior court judges of the state prior to July 24, 2005, and no claim shall lie against the state for such benefits. [2026 c 33 s 1; 2022 c 29 s 12; 2021 c 102 s 17; 2018 c 36 s 7; 2016 c 74 s 4. Prior: 2015 c 275 s 11; 2015 c 265 s 27; 2009 c 417 s 2; 2007 c 496 s 204; 2006 c 192 s 2; prior: 2005 c 457 s 18; 2005 c 374 s 2; 2005 c 202 s 1; 2002 c 338 s 2; 2001 c 146 s 2; 2000 c 170 s 1; 1999 c 397 s 8; 1996 c 56 s 5; 1995 c 292 s 14.]

Housing voucher program outcome evaluation and benefit-cost analysis—Transfer of residual funds to the general fund—2022 c 29: See notes following RCW 9.94A.729.

Short title—Effective date—2021 c 102: See RCW 60.90.900 and 60.90.902.

Applicability—Effective date—2018 c 36: See notes following RCW 7.06.043.

Finding—Intent—2015 c 265: See note following RCW 13.50.010.

Effective dates—2007 c 496 ss 201, 202, 204, and 501: See note following RCW 26.12.260.

Part headings not law—2007 c 496: See note following RCW 26.09.002.

Intent—2005 c 457: See note following RCW 43.08.250.

RCW 36.18.018 Fees to state court, administrative office of the courts—Appellate review fee and surcharge—Variable fee for copies and reports. (1) State revenue collected by county clerks under subsection (2) of this section must be transmitted to the appropriate state court. The administrative office of the courts shall retain fees collected under subsection (3) of this section.

(2) For appellate review under RAP 5.1(b), two hundred fifty dollars must be charged, except that no fee may be charged under this

section for a case transferred from the superior court to the court of appeals pursuant to RCW 34.05.518 or *36.70C.150.

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

(4) In addition to the fee established under subsection (2) of this section, a surcharge of forty dollars is established for appellate review. The county clerk shall transmit seventy-five percent of this surcharge to the state treasurer for deposit in the judicial stabilization trust account and twenty-five percent must be retained by the county. [2021 c 305 s 4; 2021 c 303 s 2; 2017 3rd sp.s. c 2 s 2; 2013 2nd sp.s. c 7 s 2; 2012 c 199 s 2; 2011 1st sp.s. c 44 s 3; 2009 c 572 s 3; 2005 c 282 s 43; 1995 c 292 s 15.]

Reviser's note: *(1) RCW 36.70C.150 expired June 30, 2026.

(2) This section was amended by 2021 c 303 s 2 and by 2021 c 305 s 4, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2021 c 305: See note following RCW 34.05.518.

Effective date—2021 c 303: See note following RCW 3.62.060.

Effective date—2017 3rd sp.s. c 2: See note following RCW 3.62.060.

Effective date—2013 2nd sp.s. c 7: See note following RCW 3.62.060.

Effective date—2011 1st sp.s. c 44: See note following RCW 3.62.020.

Effective date—2009 c 572: See note following RCW 43.79.505.

RCW 36.18.020 Clerk's fees, surcharges. (1) Revenue collected under this section is subject to division with the state under RCW 36.18.025 and with the county or regional law library fund under RCW 27.24.070, except as provided in subsections (5) and (6) of this section.

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

(a) In addition to any other fee required by law, the party filing the first or initial document in any civil action, including, but not limited to an action for restitution, adoption, or change of name, and any party filing a counterclaim, cross-claim, or third-party claim in any such civil action, shall pay, at the time the document is filed, a fee of $200 except, in an unlawful detainer action under chapter 59.18 or 59.20 RCW for which the plaintiff shall pay a case initiating filing fee of $45, or in proceedings filed under RCW 28A.225.030 alleging a violation of the compulsory attendance laws where the petitioner shall not pay a filing fee. The $45 filing fee under this subsection for an unlawful detainer action shall not include an order to show cause or any other order or judgment except a default order or default judgment in an unlawful detainer action.

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

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

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

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

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

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

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

(i) No fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

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

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

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

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

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

(6) On filing fees required to be collected under subsection (2)(a), (b), (c), (e), (f), and (g) of this section, a surcharge of $50 must be collected and $45 of such surcharge must be transmitted by the county treasurer to the state treasurer to be deposited in the following manner: $20 in the Washington state legacy project, state library, and archives account and $25 in the judicial stabilization trust account. The remaining funds must be retained by the county to be used for the county clerk's office operations, including administering the surcharge. [2025 c 357 s 1; 2022 c 260 s 17. Prior: 2021 c 303 s 3; 2021 c 215 s 146; 2018 c 269 s 17; 2017 3rd sp.s. c 2 s 3; 2015 c 265 s 28; 2013 2nd sp.s. c 7 s 3; 2012 c 199 s 3; 2011 1st sp.s. c 44 s 5; prior: 2009 c 572 s 4; 2009 c 479 s 21; 2009 c 417 s 3; prior: 2005 c 457 s 19; 2005 c 374 s 5; 2000 c 9 s 1; 1999 c 42 s

635; 1996 c 211 s 2; prior: 1995 c 312 s 70; 1995 c 292 s 10; 1993 c 435 s 1; 1992 c 54 s 1; 1989 c 342 s 1; prior: 1987 c 382 s 3; 1987 c 202 s 201; 1987 c 56 s 3; prior: 1985 c 24 s 1; 1985 c 7 s 104; 1984 c 263 s 29; 1981 c 330 s 5; 1980 c 70 s 1; 1977 ex.s. c 107 s 1; 1975 c 30 s 1; 1973 c 16 s 1; 1973 c 38 s 1; prior: 1972 ex.s. c 57 s 5; 1972 ex.s. c 20 s 1; 1970 ex.s. c 32 s 1; 1967 c 26 s 9; 1963 c 4 s 36.18.020; prior: 1961 c 304 s 1; 1961 c 41 s 1; 1951 c 51 s 5; 1907 c 56 s 1, part, p 89; 1903 c 151 s 1, part, p 294; 1893 c 130 s 1, part, p 421; Code 1881 s 2086, part, p 355; 1869 p 364 s 1, part; 1863 p 391 s 1, part; 1861 p 34 s 1, part; 1854 p 368 s 1, part; RRS s 497, part.]

Rules of court: *Cf. RAP 14.3, 18.22.*

Construction—Effective date—2022 c 260: See notes following RCW 3.66.120.

Effective date—2021 c 303: See note following RCW 3.62.060.

Effective date—2022 c 268; 2021 c 215: See note following RCW 7.105.900.

Construction—2018 c 269: See note following RCW 10.82.090.

Effective date—2017 3rd sp.s. c 2: See note following RCW 3.62.060.

Finding—Intent—2015 c 265: See note following RCW 13.50.010.

Effective date—2013 2nd sp.s. c 7: See note following RCW 3.62.060.

Effective date—2011 1st sp.s. c 44: See note following RCW 3.62.020.

Effective date—2009 c 572: See note following RCW 43.79.505.

Effective date—2009 c 479: See note following RCW 2.56.030.

Intent—2005 c 457: See note following RCW 43.08.250.

Effective date—1999 c 42: See RCW 11.96A.902.

Short title—1995 c 312: See note following RCW 13.32A.010.

Effective date—1992 c 54: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect April 1, 1992." [1992 c 54 s 7.]

Effective date—1989 c 342: See RCW 59.18.911.

Intent—1987 c 202: See note following RCW 2.04.190.

Severability—1981 c 330: See note following RCW 3.62.060.

Effective date—1972 ex.s. c 20: "This act shall take effect July 1, 1972." [1972 ex.s. c 20 s 3.]

Effective date—1967 c 26: See note following RCW 43.70.150.

RCW 36.18.022 Filing fees may be waived—When. The court may waive the filing fees provided for under RCW 36.18.016(2)(b) and 36.18.020(2) (a) and (b) upon affidavit by a party that the party is unable to pay the fee due to financial hardship. [2005 c 374 s 6; 1995 c 292 s 16; 1992 c 54 s 5.]

Effective date—1992 c 54: See note following RCW 36.18.020.

RCW 36.18.025 Portion of filing fees to be remitted to state treasurer. Forty-six percent of the money received from filing fees paid pursuant to RCW 36.18.020, except those collected for the filing of warrants for unpaid taxes or overpayments by state agencies as outlined in RCW 36.18.012(10), shall be transmitted by the county treasurer each month to the state treasurer for deposit in the state general fund. [2009 c 479 s 22; 2001 c 146 s 3; 1992 c 54 s 2; 1985 c 389 s 9; 1984 c 258 s 322; 1972 ex.s. c 20 s 2.]

Effective date—2009 c 479: See note following RCW 2.56.030.

Effective date—1992 c 54: See note following RCW 36.18.020.

Effective date—1985 c 389: See note following RCW 27.24.070.

Court Improvement Act of 1984—Effective dates—Severability—Short title—1984 c 258: See notes following RCW 3.30.010.

Intent—1984 c 258: See note following RCW 3.34.130.

Effective date—1972 ex.s. c 20: See note following RCW 36.18.020.

RCW 36.18.030 Coroner's fees. Coroners shall collect for their official services, the following fees:

For each inquest held, besides mileage, twenty dollars.

For issuing a venire, two dollars.

For drawing all necessary writings, two dollars for first page and one dollar for each page thereafter.

For mileage each way, per mile, ten cents.

For performing the duties of a sheriff, he or she shall receive the same fees as a sheriff would receive for the same service. [2009 c 549 s 4014; 1963 c 4 s 36.18.030. Prior: 1959 c 263 s 7; 1907 c 56 s 1, part, p 93; 1903 c 151 s 1, part, p 296; 1893 c 130 s 1, part, p 424; Code 1881 s 2086, part, p 360; 1869 p 372 s 7, part; 1863 p 391 s 1, part, p 396; 1861 p 34 s 1, part, p 39; 1854 p 368 s 1, part, p 373; RRS ss 497, part, 4185.]

RCW 36.18.040 Sheriff's fees. (1) Sheriffs shall collect the following fees for their official services:

(a) For service of each summons and complaint, notice and complaint, summons and petition, and notice of small claim on one defendant at any location, ten dollars, and on two or more defendants at the same residence, twelve dollars, besides mileage;

(b) For making a return, besides mileage actually traveled, seven dollars;

(c) For levying each writ of attachment or writ of execution upon real or personal property, besides mileage, thirty dollars per hour;

(d) For filing copy of writ of attachment or writ of execution with auditor, ten dollars plus auditor's filing fee;

(e) For serving writ of possession or restitution without aid of the county, besides mileage, twenty-five dollars;

(f) For serving writ of possession or restitution with aid of the county, besides mileage, forty dollars plus thirty dollars for each hour after one hour;

(g) For serving an arrest warrant in any action or proceeding, besides mileage, thirty dollars;

(h) For executing any other writ or process in a civil action or proceeding, besides mileage, thirty dollars per hour;

(i) For each mile actually and necessarily traveled in going to or returning from any place of service, or attempted service, thirty-five cents;

(j) For making a deed to lands sold upon execution or order of sale or other decree of court, to be paid by the purchaser, thirty dollars;

(k) For making copies of papers when sufficient copies are not furnished, one dollar for first page and fifty cents per each additional page;

(l) For the service of any other document and supporting papers for which no other fee is provided for herein, twelve dollars;

(m) For posting a notice of sale, or postponement, ten dollars besides mileage;

(n) For certificate or bill of sale of property, or certificate of redemption, thirty dollars;

(o) For conducting a sale of property, thirty dollars per hour spent at a sheriff's sale;

(p) For notarizing documents, five dollars for each document;

(q) For fingerprinting for noncriminal purposes, ten dollars for each person for up to two sets, three dollars for each additional set;

(r) For mailing required by statute, whether regular, certified, or registered, the actual cost of postage;

(s) For an internal criminal history records check, ten dollars;

(t) For the reproduction of audio, visual, or photographic material, to include magnetic microfilming, the actual cost including personnel time.

(2) Fees allowable under this section may be recovered by the prevailing party incurring the same as court costs. Nothing contained in this section permits the expenditure of public funds to defray costs of private litigation. Such costs shall be borne by the party seeking action by the sheriff, and may be recovered from the proceeds of any subsequent judicial sale, or may be added to any judgment upon proper application to the court entering the judgment.

(3) Notwithstanding subsection (1) of this section, a county legislative authority may set the amounts of fees that shall be

collected by the sheriff under subsection (1) of this section to cover the costs of administration and operation.

(4) The fines imposed by this section do not apply to juvenile offenders. [2015 c 265 s 29; 1992 c 164 s 1; 1981 c 194 s 1; 1975 1st ex.s. c 94 s 1; 1963 c 4 s 36.18.040. Prior: 1959 c 263 s 8; 1951 c 51 s 6; 1907 c 56 s 1, part, p 91; 1903 c 151 s 1, part, p 294; 1893 c 130 s 1, p 422; Code 1881 s 2086, part, p 356; 1869 p 364 s 1, part, p 365; 1865 p 94 s 1, part, p 97; 1863 p 391 s 1, part, p 392; 1861 p 34 s 1, part, p 35; 1854 p 368 s 1, part, p 369; RRS s 497, part.]

Finding—Intent—2015 c 265: See note following RCW 13.50.010.

Severability—1981 c 194: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1981 c 194 s 5.]

RCW 36.18.045 Treasurer's fees. County treasurers shall collect the following fees for their official services:

For preparing and certifying copies, with or without seal for the first legal size page, two dollars, for each additional legal size page, one dollar. [1963 c 4 s 36.18.045. Prior: 1959 c 263 s 10.]

RCW 36.18.050 Fees in special cases. Every officer who shall be called on or required to perform service for which no fees or compensation are provided for in this chapter shall be allowed fees similar and equal to those allowed him or her for services of the same kind for which allowance is made herein. [2009 c 549 s 4015; 1963 c 4 s 36.18.050. Prior: Code 1881 s 2098; 1869 p 374 s 20; 1863 p 398 s 5; 1861 p 41 s 5; 1854 p 375 s 4; RRS s 4234.]

RCW 36.18.060 Fees payable in advance—Exception. The officers mentioned in this chapter except the county sheriff shall not, in any case, except for the state or county, perform any official services unless the fees prescribed therefor are paid in advance, and on such payment the officer must perform the services required. The county sheriff may allow payment to be made after official services have been performed as the sheriff deems appropriate. For every failure or refusal to perform official duty when the fees are tendered, the officer is liable on his or her official bond. [2009 c 549 s 4016; 1981 c 194 s 2; 1963 c 4 s 36.18.060. Prior: 1890 p 315 s 39; RRS s 506.]

Severability—1981 c 194: See note following RCW 36.18.040.

RCW 36.18.070 Single mileage chargeable when. When any sheriff, constable or coroner serves more than one process in the same cause or on the same person not requiring more than one journey from his or her office, he or she shall receive mileage only for the most distant service. [2009 c 549 s 4017; 1963 c 4 s 36.18.070. Prior: Code 1881 s 2094; 1869 p 373 s 16; RRS s 501.]

RCW 36.18.080 Fee schedule to be kept posted. Every county officer entitled to collect fees from the public shall keep posted in his or her office a plain and legible statement of the fees allowed by law and failure so to do shall subject the officer to a fine of one hundred dollars and costs, to be recovered in any court of competent jurisdiction. [2009 c 549 s 4018; 1963 c 4 s 36.18.080. Prior: 1890 p 315 s 41; RRS s 4223. Cf. Code 1881 s 2091; 1869 p 373 s 13.]

RCW 36.18.090 Itemized receipt to be given. Every officer, when requested so to do, shall make out a bill of his or her fees in every case, and for any services, specifying each particular item thereof, and receipt the same when it is paid, which bill of fees shall always be subject to examination and correction by the courts. Any officer who fails to comply with the requirements of this section shall be liable to the person paying the fees in treble the amount so paid. [2009 c 549 s 4019; 1963 c 4 s 36.18.090. Prior: (i) 1890 p 315 s 40; RRS s 4222. (ii) Code 1881 s 2102; 1869 p 374 s 24; 1863 p 398 s 3; 1861 p 41 s 3; 1854 p 376 s 6; RRS s 4235.]

RCW 36.18.160 Penalty for taking illegal fees. If any officer takes more or greater fees than are allowed by law he or she shall be subject to prosecution, and on conviction, shall be removed from office and fined in a sum not exceeding one thousand dollars. [2009 c 549 s 4021; 1963 c 4 s 36.18.160. Prior: Code 1881 s 2090; 1869 p 373 s 12; RRS s 4225. Cf. RCW 9.33.040.]

RCW 36.18.170 Penalty for failure to pay over fees. Any salaried county or precinct officer, who fails to pay to the county treasury all sums that have come into the officer's hands for fees and charges for the county, or by virtue of the officer's office, whether under the laws of this state or of the United States, is guilty of a class C felony, and upon conviction thereof shall be punished by imprisonment in a state correctional facility not less than one year nor more than three years: PROVIDED, That upon conviction, his or her office shall be declared to be vacant by the court pronouncing sentence. [2003 c 53 s 201; 1992 c 7 s 33; 1963 c 4 s 36.18.170. Prior: 1893 c 81 s 2; RRS s 4226. Cf. RCW 42.20.070.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

RCW 36.18.180 Office to be declared vacant on conviction. The board of county commissioners of any county in this state, upon receiving a certified copy of the record of conviction of any officer for receiving illegal fees, or where the officer collects fees and fails to account for the same, upon proof thereof must declare his or her office vacant and appoint his or her successor. [2009 c 549 s 4022; 1963 c 4 s 36.18.180. Prior: 1890 p 315 s 42; RRS s 4224.]

RCW 36.18.190 Collection of unpaid financial obligations—Collection contracts—Interest to collection agencies authorized.

Superior court clerks may contract with collection agencies under chapter 19.16 RCW or may use county collection services for the collection of unpaid court-ordered legal financial obligations as enumerated in RCW 9.94A.030 that are ordered pursuant to a felony or misdemeanor conviction and of unpaid financial obligations imposed under Title 13 RCW. The costs for the agencies or county services shall be paid by the debtor. The superior court may, at sentencing or at any time within ten years, assess as court costs the moneys paid for remuneration for services or charges paid to collection agencies or for collection services. By agreement, clerks may authorize collection agencies to retain all or any portion of the interest collected on these accounts. Collection may not be initiated with respect to a criminal offender who is under the supervision of the department of corrections without the prior agreement of the department. Superior court clerks are encouraged to initiate collection action with respect to a criminal offender who is under the supervision of the department of corrections, with the department's approval.

Any contract with a collection agency shall be awarded only after competitive bidding. Factors that a court clerk shall consider in awarding a collection contract include but are not limited to: (1) A collection agency's history and reputation in the community; and (2) the agency's access to a local database that may increase the efficiency of its collections. Contracts may specify the scope of work, remuneration for services, and other charges deemed appropriate.

The servicing of an unpaid court obligation does not constitute assignment of a debt, and no contract with a collection agency may remove the court's control over unpaid obligations owed to the court.

The county clerk may collect civil judgments where the county is the creditor. [1997 c 24 s 1. Prior: 1995 c 291 s 8; 1995 c 262 s 1; 1994 c 185 s 9.]