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Title: AN ORDINANCE related to department of judicial administration fees; and adding new sections to K.C.C. chapter 4.83.

Sponsors: Larry Gossett

Indexes: Fees, Judicial Administration

Code sections: 4.83 -

Attachments: 1. 2004-0104 D5 DJA5 Regulatory Note-Exhibit.doc, 2. 2004-0104 DJA-Exhibits-Fiscal Note.xls, 3. 2004-0110 Staff Report 4-21-04.doc, 4. 2004-0110 Transmittal Letter.doc, 5. None

Date	Ver.	Action By	Action	Result
4/21/2004	1	Budget and Fiscal Management Committee		
3/8/2004	1	Metropolitan King County Council	Introduced and Referred	

AN ORDINANCE related to department of judicial administration fees; and adding new sections to K.C.C. chapter 4.83.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. A. Section 2 of this ordinance adds a new section to K.C.C. chapter 4.83.

B. Section 2 of this ordinance indicates that the department of judicial administration may charge a disposal fee for court exhibits not withdrawn by the parties following case completion. Before the commencement of trial, parties sign a stipulation that between forty-five and ninety days following case completion, exhibits will be withdrawn. Case completion is identified as meeting one of the following four conditions: the judgment of acquittal is filed; the final judgment is filed; the judgment, decree or order becomes final after appeal; or a dismissal is filed. The stipulation indicates that exhibits not withdrawn during this timeframe will be destroyed.

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

NEW SECTION. SECTION 2. There is hereby added to K.C.C. chapter 4.83 a new section to read as

follows:

Fee - destruction of exhibits.

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The department of judicial administration is hereby authorized to assess a fee for the disposal of court exhibits not withdrawn by the parties forty-five to ninety days following case completion.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

B. The fee assessed shall be twenty dollars.

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

SECTION 3. A. Section 4 of this ordinance adds a new section to K.C.C. chapter 4.83.

B. Section 4 of this ordinance indicates that the department of judicial administration may charge a fee for the conversion of items that cannot realistically be stored within the court file. Items subject to section 4 of this ordinance will be converted as file exhibits. Items are converted to file exhibits when the item either cannot be scanned electronically or retained indefinitely, such as photographs, videotapes, X-rays, etc. King County Local Rule 79(2)(d) allows, upon court order, such items to be retained "as an exhibit in the cause."

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

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

NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 4.83 a new section to read as follows:

Fee - conversion of file exhibits.

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

B. The fee assessed shall be twenty dollars.

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