



proud past, promising future

CLARK COUNTY  
WASHINGTON

COUNTY CLERK  
Sherry W. Parker

RECEIVED  
SUPREME COURT  
STATE OF WASHINGTON  
08 FEB -7 AM 7:54  
BY RONALD R. CARPENTER  
CLERK

February 4, 2008

Supreme Court Rules Committee  
Temple of Justice  
P.O. Box 40929  
Olympia, WA 98504-0929

Re: Proposed General Rule 34  
Waiver of Court and Clerk's Fees and Charges in Civil Matters  
on the Basis of Indigency

Honorable Members:

I am writing to ask that you vote NO on proposed General Rule 34 for the following reasons:

- The authority to determine indigency and grant fee waivers is given by statute to the judicial branch. I do not believe that an executive branch employee, i.e., the Clerk's office, should be making this decision.
- This rule would create a discrepancy between the standard used for civil cases (200% of poverty level) and that created by statute for criminal cases (125% of poverty level). This creates confusion on the part of the public.
- Current statutes provide for the court to waive filing fees for indigent litigants. Our office works with the citizens who need these waivers every day to see that they have access to the justice system and I have no objection to this process. I do object, however, to the waiver of fees that our office charges for such services as making copies of documents on file, waiver of jury demand fees and the waiver of the facilitator surcharge.
- Most of the salaries and supplies for my office are provided by the county's general fund. The revenue we collect helps to offset these expenditures and allows us to provide services such as the Family Law Courthouse Facilitator Program, for citizens who cannot afford an attorney, and the Legal Financial Obligation Collection Program, which collects restitution from criminal defendants to reimburse victims. A loss of revenue of this magnitude could lead to our County Commissioners withdrawing their support for these programs and the public would suffer.
- Waiving fees for copies would create additional workload for my staff. I believe there would be a dramatic increase in the number of requests from inmates wanting multiple copies of every document in each of their files, as well as copies of forms and court rules. It would also lead to civil litigants wanting copies of very large civil files because there would be no fee. This would result in an increase in workload and a decrease in revenue, certainly not a situation that is in the best interest of the public.



In summary, the proposed rule will not provide additional "access to justice" for the most needy in our communities, could be harmful to programs developed to help these same citizens, will be detrimental to the funding stream of the county and will be a burden on employees of the Clerk's office. The current system is functioning as it was intended and does not need to be changed in this way.

Again, I urge you to vote NO on Proposed General Rule 34.

Sincerely,

A handwritten signature in cursive script that reads "Sherry W. Parker". The signature is written in black ink and is positioned above the typed name.

Sherry W. Parker  
Clark County Clerk