

# Thurston County Volunteer Legal Services

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February 19, 2008

Supreme Court Rules Committee  
Temple of Justice  
PO Box 40929  
Olympia, WA 98504

RECEIVED  
SUPREME COURT  
STATE OF WASHINGTON  
08 FEB 21 AM 8:03  
BY RONALD R. CARPENTER  
CLERK

Honorable Members of the Court:

I am writing to support adoption of proposed General Rule 34: Waiver of Court and Clerk's Fees and Charges in Civil Matters on the Basis of Indigency.

Thurston County Volunteer Legal Services (TCVLS) provides free civil legal assistance and representation to low-income residents of Thurston and Mason Counties. The overwhelming majority of the 750 clients we assist annually are self-represented, navigating the court system as best they can with support from TCVLS volunteers. Our clients with family law issues (the vast majority of our caseload) rely heavily on the Family Court Facilitators as well for assistance. Others among our clientele receive full pro bono representation from our volunteer attorneys, the majority of whom are in government practice, solo practitioners, or work for very small firms.

We are fortunate that in Thurston and Mason Counties, the judges routinely grant IFP petitions submitted by our volunteers on behalf of clients, and by self-represented parties. However, absent a specific rule, and absent an easily-accessible standard IFP form, many clients who should qualify for an IFP fee waiver do not know they can request such a waiver, or do not know how to go about submitting such a request to the court. In counties where there are far fewer services available through volunteer or staffed legal aid programs, it is an even greater challenge for low-income litigants to find out about and avail themselves of IFP petitions.

Further, in both Thurston and Mason Counties, even for clients whose IFP petitions are granted, there are still significant fees charges for many court services, including making copies of court records from the client's case file. In Thurston County, grant of an IFP petition does not waive Family Court Facilitator fees, which can add up quickly for clients needing ongoing assistance. Mason County does not charge for Facilitator services, which proves a great boon for our clients and other low-income litigants, but fees for court copies and other court services are still charged to clients whose filing fees are waived through an IFP petition.



THE ALLIANCE  
for Equal Justice

As Director of a non-profit agency serving low-income people, I certainly sympathize with the concerns of the County Clerks who have submitted comments focused mainly on the potential loss of revenue for their programs if GR 34 is adopted as proposed. But I firmly believe that if we are to continue our work to make access to justice a reality for everyone across the state, it is essential that a comprehensive IFP rule be adopted, applicable to all low-income litigants in all counties. The fiscal impact can and should be addressed separately to ensure that crucial services from the courts and clerks' offices remain in place, and are accessible to all people.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott A. Douglas". The signature is written in a cursive style with a large initial "S".

Scott A. Douglas, JD

Director, Thurston County Volunteer Legal Services