



WASHINGTON STATE
ASSOCIATION OF
COUNTY CLERKS

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June 18, 2010

The Honorable Charles W. Johnson, Chair, Rules Committee
Washington Supreme Court
Temple of Justice
415 12th Avenue SW
PO Box 40929
Olympia, WA 98504-0929

RE: Proposed State Court Rule GR 34

Dear Justice Johnson:

Thank you for the opportunity to comment on Mr. Bamburger's suggested amendments to GR 34.

The Clerks' Association does not support this proposed version and respectfully requests that the Rules Committee not approve it. The proposed language reflects a broad attempt to over-ride legislation by court rule. The legislative branch has purview over fees and has set in law the authority of judges to waive fees in certain circumstances. See RCW 36.18.022¹. Mr. Bamburger's suggested amendments inappropriately attempt to expand that authority.

There are other issues with the underlying version of GR 34 that should be addressed by the Rules Committee. Please see the Clerks' previous comments and proposed modifications of this rule, attached.

Please contact me at 206-296-2910 or Kevin Stock at 253-798-3372 should you have any questions or

¹ 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 § 6; 1995 c 292 § 16; 1992 c 54 § 5.]

Justice Johnson
June 18, 2010
Page 2

need more information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barbara Miner".

Barbara Miner
President

cc: Supreme Court Rules Committee Members
Nan Sullins, Legal Services Manager, AOC
WSACC Executive Board Members
Debra Wilke, Executive Director, Washington Association of County Officials