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RALJ Appeals

Applicability of RALJs

As a practical matter, the RALJs apply to any court of limited jurisdiction in the state which is required to have a lawyer-judge. [RALJ 1.1\(a\)](#). The RALJs apply to both criminal and civil proceedings, unless a different application is intended. [RALJ 1.1\(c\)](#). In several instances the rules specifically differentiate between civil and criminal cases. The rules supersede all statutes and rules governing the review of a decision of a court of limited jurisdiction in superior court unless a rule specifically indicates to the contrary. [RALJ 1.1\(e\)](#).

Appeals from infractions can be on the record and subject to the RALJ or they can be de novo, depending on whether the court hearing the case is required to record its proceedings. *See* [IRLJ 5.2](#). *But see* [ARLJ 13](#), which requires all limited jurisdiction court to electronically record their proceedings.

The RALJs govern the procedures which take place both in the courts of limited jurisdiction and in the superior court. Although the material in this section emphasizes procedures and rules most applicable to courts of limited jurisdiction, superior court procedures are included as necessary to provide a comprehensive view of the appeals process.

Trials de novo have not been eliminated entirely. The RALJs do not apply to decisions made by a judge who is not licensed to practice law in Washington, or to decisions of a small claims department of a district court. [RALJ 1.1\(b\)](#). De novo appeals continue to be governed only by the appropriate provisions of the Criminal Rules for Courts of Limited Jurisdiction (CrRLJ) and Civil Rules for Courts of Limited Jurisdiction (CRLJ); no provision of the RALJs apply to a de novo appeal. [RALJ 1.1\(b\)](#). Trials de novo are covered in §5.10, De Novo Appeals, *infra*.

A. Who May Appeal

Only a party who has been aggrieved by a final decision of a court of limited jurisdiction may appeal. [RALJ 2.1\(a\)](#). A final decision includes an order granting or denying a motion for new trial, reconsideration, or amendment of judgment, and an order granting or denying an arrest of a judgment in a criminal case. [RALJ 2.2\(a\)\(2\)](#).

- (1) **Cross Review** -- However, a respondent in an appeal can seek cross review by filing a notice of appeal within the required time limits. [RALJ 2.1\(b\)](#).
- (2) **Appeal by State or Local Government in Criminal Case** -- The State or a local government may appeal in a criminal case only from the following decisions of a court of limited jurisdiction and only if the appeal will not place the defendant in double jeopardy:
 - (a) **Final Decision, Except Not Guilty** -- A decision which in effect abates, discontinues, or determines the case other than by a judgment or verdict of not guilty, including but not limited to a decision setting aside, quashing, or dismissing a complaint or citation and notice to appear, or a decision granting a motion to dismiss under CrRLJ 8.3(c).

[RALJ 2.2\(c\)\(1\)](#);

- (b) **Pretrial Order Suppressing Evidence** -- A pretrial order suppressing evidence, if the trial court expressly finds that the practical effect of the order is to terminate the case. [RALJ 2.2\(c\)\(2\)](#);
- (c) **Arrest or Vacation of Judgment** -- An order arresting or vacating a judgment. [RALJ 2.2\(c\)\(3\)](#);
- (d) **New Trial** -- An order granting a new trial. [RALJ 2.2\(c\)\(4\)](#).

B. What May Be Appealed

Decisions in certain cases, such as mitigation hearings, under RCW 46.63.100, or a mitigation decision on written statement under IRLJ 2.6(c), cannot be appealed. [RALJ 2.2\(a\)\(1\)](#). A party may object to and obtain review of a decision of a court of limited jurisdiction on matters of appellate procedure, including but not limited to enforcement of a judgment or sentence. [RALJ 11.1](#). This is done by motion in the superior court. [RALJ 11.1](#).

C. How to Initiate an Appeal

The appeal is initiated by timely filing of a notice of appeal in the court of limited jurisdiction, along with the statutory filing fee, unless the party filing the notice is excused from paying the fee by statute or under the constitution. [RALJ 2.4\(a\),\(b\)](#).

In appeals of criminal cases, a defendant may not be required to advance any fees, including the filing fee. *See* [RCW 10.10.060](#) and [36.18.020\(2\)](#). Costs can be imposed on the defendant if the defendant loses or abandons the appeal. [RCW 10.10.060](#) and [36.18.020\(2\)\(h\)](#). *See also* N., Costs, *infra*, for costs which may be imposed once an appeal is concluded.

In civil appeals, the fees must be paid unless the court waives payment because of financial hardship to the appellant. *See* [RCW 36.18.022](#). The court of limited jurisdiction has authority to decide questions relating to indigency. [RALJ 4.1\(c\)](#).

The party filing the notice immediately must serve a copy of the notice on all other parties in the proceeding. [RALJ 2.4\(c\)](#).

The clerk of the court of limited jurisdiction shall immediately upon filing of a notice of appeal and payment of the filing fee, if required, file a copy of the notice with the superior court. [RALJ 2.4\(c\)](#).

D. Time for Filing

Except as provided in [RALJ 2.5\(c\)](#), a notice of appeal must be filed within 30 days after the date of entry of the final decision which the party seeks to appeal. [RALJ 2.5\(a\)](#).

- (1) **Date of Entry Defined** -- If the court's final decision is oral and evidenced only by writing in the court record, the date of entry is the date the decision was placed in the record. [RALJ 2.5\(b\)](#).

If the final decision is in the form of a writing signed by the court, the date of entry is the date the signed writing is delivered to the clerk for filing. [RALJ 2.5\(b\)](#).

If the decision has been entered other than at a regularly scheduled and noticed hearing, the date of entry of the decision for a particular party is three days after the court mails a notice to the party advising the party of the court's decision and of the date that decision was written in the court record or delivered to the clerk for filing. [RALJ 2.5\(b\)](#).

- (2) **Subsequent Notice by Other Parties** -- Pursuant to [RALJ 2.5\(c\)](#), if a timely notice of appeal is filed by a party, any other party seeking relief from the same decision must file a notice of appeal, within the later of:
 - (a) seven days after service of the notice of appeal filed by the other party; or
 - (b) the 30 day appeal period after entry of the final decision set forth in [RALJ 2.5\(a\)](#).
- (3) **Premature Notice of Appeal** -- A notice of appeal filed after the announcement of a decision but before entry of the final decision will be treated as filed on the day following entry of the decision. [RALJ 2.5\(d\)](#).
- (4) **Dismissal for Failure to Timely File Notice of Appeal** -- *See O., Dismissal of Appeal, infra.*

E. Venue

A party must seek review in the superior court for the county in which the court of limited jurisdiction from which the appeal is taken is located. [RALJ 2.3\(a\)](#). However, in a criminal case from a joint district court district, a party must seek review of the decision in the superior court of the county in which the offense allegedly occurred. [RALJ 2.3\(a\)](#).

If a party seeks review in the wrong superior court, the venue of the appeal shall be changed to the proper superior court on motion of a party or on the initiative of the superior court. [RALJ 2.3\(b\)](#).

F. Contents of Notice of Appeal

Pursuant to [RALJ 2.6\(a\)](#), a notice of appeal should:

- (1) be titled "Notice of Appeal;"
- (2) identify the party or parties appealing;
- (3) designate each decision which the party wants reviewed;
- (4) name the court to which the appeal is taken;
- (5) provide identification of parties and lawyers;
- (6) state whether the case appealed is criminal (including charge description), civil, or an infraction; and
- (7) name the court and cause number from which the appeal is taken.

The notice should include the name and address of the lawyer for each of the parties represented by a lawyer and the address of parties who are not represented by counsel. [RALJ 2.6\(b\)](#). If a defendant in a criminal case appeals, the notice of appeal shall include the defendant's address. [RALJ 2.6\(b\)](#). The defendant in a criminal case must file a statement in the superior court and the court of limited jurisdiction indicating any changes in the defendant's address during the appeal. [RALJ 2.6\(b\)](#).

The superior court will disregard any defects in the form of a notice of appeal if the notice clearly reflects an intent to seek review. [RALJ 2.6\(f\)](#).

More than one party may join in a single notice of appeal. [RALJ 2.6\(e\)](#).

G. Authority of Court of Limited Jurisdiction Pending Appeal

After a notice of appeal has been filed, the superior court has authority to perform all acts necessary to secure the fair and orderly review of the case. [RALJ 4.1\(a\)](#). While a case is on appeal, the court of limited jurisdiction has authority to act in a case only to the extent authorized by the RALJs, unless the superior court limits or expands that authority in a particular case. [RALJ 4.1\(b\)](#). When a party is entitled to an award of attorney fees and costs, the court of limited jurisdiction has authority to determine such an award for the party's efforts in the court of limited jurisdiction. [RALJ 4.1\(d\)](#). A party may obtain review of a court of limited jurisdiction's decision on attorney fees or costs in the same review proceeding as that challenging the judgment without filing a separate notice of appeal. [RALJ 4.1\(d\)](#).

H. Enforcement of Judgment

- (1) **Civil Case** -- A civil judgment of a court of limited jurisdiction may not be enforced by a party until 30 days have elapsed after entry of the judgment. [RALJ 4.2\(a\)](#). Thereafter, a party may enforce the judgment in the court of limited jurisdiction unless the enforcement is stayed as provided in [RALJ 4.3](#) (*see* I., Stay of Enforcement of Judgment, *infra*). [RALJ 4.2\(a\)](#).
- (2) **Criminal Case** -- The court of limited jurisdiction will enforce a sentence in a criminal case if the defendant appeals but fails to stay enforcement of the sentence as provided in [RALJ 4.3\(b\)](#). [RALJ 4.2\(b\)](#). *See* I., Stay of Enforcement of Judgment, *infra*.
- (3) **Statutes Control** -- Except as otherwise provided in the RALJs, statutes and other rules relating to enforcement of a judgment and a sentence are applicable. [RALJ 4.2\(c\)](#).

I. Stay of Enforcement of Judgment

- (1) **Civil Case** -- The superior court may stay enforcement of a judgment in a civil case after a notice of appeal has been filed. [RALJ 4.3\(a\)](#). The superior court may impose the same conditions on the granting of the stay as those imposable on parties before the courts of appeals. [RALJ 4.3\(a\)](#). The court of limited jurisdiction does not have the authority to stay enforcement of a judgment in a civil case. *See* [RALJ 4.1\(b\)](#); [RALJ 4.3\(a\)](#).
- (2) **Criminal Case** -- In a criminal case, the court of limited jurisdiction has the authority, subject to [RCW 9.95.062](#) and [9.95.064](#), to fix conditions of release of a defendant and to revoke a suspended or deferred sentence, if the enforcement of the sentence is not stayed pending appeal. [RALJ 4.3\(b\)](#). Where the sentence is stayed pending appeal, the court of limited jurisdiction has authority to revoke the stay upon proof of violation of the conditions of release. [RALJ 4.3\(b\)](#).

J. Preparation of Record on Appeal

(1) **Designation of Portions of Record to Transmit** -- The party seeking review shall, within 14 days of filing the notice of appeal, serve on all other parties and file with the clerk of the court of limited jurisdiction a designation of those portions of the record that the party wants the clerk to transmit to the superior court. Any party may supplement the designation of the record prior to or with the party's last brief. Thereafter, a party may supplement the designation only by order of the superior court, upon motion. Each party is encouraged to designate only documents and exhibits needed to review the issues presented to the superior court. [RALJ 6.2\(a\)](#).

(2) **Clerk's Responsibilities** -- Within 14 days after the designation is filed, the clerk of the court of limited jurisdiction shall prepare the record of the proceeding and notify each party that the record is ready to transmit and the amount to be paid by each party. [RALJ 6.2\(a\)](#).

Each party shall pay for the cost of preparing the portion of the record within 10 days of the clerk's notification, unless the party has been excused from paying by the court. [RALJ 6.2\(a\)](#).

Promptly after receiving payment, or after preparing the record in cases where payment is excused, the clerk must certify that the record is true and complete, transmit it to the superior court, and notify the parties that the record has been transmitted. [RALJ 6.2\(a\)](#).

(3) **Contents of Record** -- Pursuant to [RALJ 6.1\(a\)](#), the record of proceedings transmitted to the superior court shall include:

- (a) the original or a copy of the log prepared for the recording; and
- (b) the originals or copies of the docket, pleadings, exhibits, orders and other papers filed with the clerk.

(4) **Agreed Record** -- The parties may agree to a form of record on appeal other than that described in (3), Contents of Record, *supra*, including but not limited to a narrative report of the lower court proceedings. [RALJ 6.1\(b\)](#). An agreed form of record may be used, however, only if it is approved by the judge of the court of limited jurisdiction. [RALJ 6.1\(b\)](#).

(5) **Cumbersome Exhibits** -- The clerk of the court of limited jurisdiction shall notify the superior court of exhibits which are difficult or unusually expensive to transmit. The exhibits shall be transmitted only if the superior court directs or if a party makes arrangements with the clerk to transmit the exhibits at the expense of the party requesting the transmittal. [RALJ 6.2\(b\)](#).

(6) **Copy of Recording for Parties** -- The clerk of the court of limited jurisdiction shall provide any party to a proceeding with a copy of all or part of the record of proceedings and the log for the record upon request and upon payment of the actual expense for preparation of the requested copy. [RALJ 6.3](#). *See* §2.7, Electronic Recording, *infra*, for the suggested procedure and recommended costs for duplicating tapes.

Procedure for Preparing Record on Appeal

After a notice of appeal has been filed and paid for, the clerk of the court of limited jurisdiction should:

- (1) Duplicate the requested papers and exhibits in the file. If an agreed form of record has been approved by the judge, only those materials listed on the agreed form should be duplicated.
- (2) Arrange the documents chronologically.
- (3) Type an index containing the listing of the cassettes on which the proceedings have been recorded. Each party should be given a copy of the index and the court should retain a copy for the file. If an agreed form of record has been approved by the judge, it should be listed in the index and sent to the superior court with the rest of the papers in the case.
- (4) Type a title page to be placed on top of the index. The record then should be stapled or binder clipped together.
- (5) Execute a certification that the record is true and complete, forward the package to the superior court, and notify the parties that the record has been transmitted. If a transmittal letter is used, it should contain the case number, the case caption, a general description of the enclosures and a request that the superior court acknowledge receipt on a copy of the transmittal letter and return it to the court of limited jurisdiction.

K. Transcript of Electronic Record

- (1) **Transcript by Appellant** -- Unless the superior court orders otherwise, the appellant shall transcribe the electronic recording of proceedings. The transcript shall be filed and served with the appellant's brief. [RALJ 6.3.1\(a\)](#).
- (2) **Transcript by Respondent** -- If the respondent wishes to add to or challenge the transcript, he or she shall file and serve an additional transcript with his or her brief. [RALJ 6.3.1\(b\)](#).
- (3) **Costs** -- Any cost or expense in preparing a transcript shall be borne by the party providing it. [RALJ 6.3.1\(g\)](#). The expense may be allowed as a cost in accordance with [RALJ 9.3](#). See N., Costs, *infra*.
- (4) **Agreed Record** -- No transcript is required if the parties have agreed on a written form of record approved by the court of limited jurisdiction. [RALJ 6.3.1\(f\)](#). See [J.\(4\), Agreed Record](#), *supra*.
- (5) **Additional Transcript** -- The superior court may order a party to prepare an additional transcript. [RALJ 6.3.1\(e\)](#).
- (6) **Contents of Transcript** -- [RALJ 6.3.1\(c\)](#) and [RALJ 6.3.1\(d\)](#) detail what the transcript should contain.

L. Return of Electronic Record to Court of Limited Jurisdiction

Upon completion of the appeal and any subsequent proceedings for review by the Court of Appeals or the Supreme Court, the superior court shall return to the court of limited

jurisdiction the record of proceedings transmitted pursuant to [RALJ 6.1\(a\)](#). [RALJ 6.4](#). Transcripts provided pursuant to [RALJ 6.3.1](#) shall not be returned to the court of limited jurisdiction. [RALJ 6.4](#).

M. Correction of Clerical Mistakes

In criminal and civil cases, the court may correct clerical mistakes in judgments, orders or other parts of the record at any time of its own initiative or on the motion of any party and after such notice to the other parties, if any, as the court orders. [CrRLJ 7.8\(a\)](#); [CRLJ 60\(a\)](#). If the case is on appeal, mistakes may be corrected before review is accepted by the superior court. [CrRLJ 7.8\(a\)](#); [CRLJ 60\(a\)](#). Thereafter, mistakes may be corrected by order of the superior court. [CrRLJ 7.8\(a\)](#); [CRLJ 60\(a\)](#).

General Procedure in Superior Court

Following transmittal of the record to the superior court, the case will be scheduled for a hearing and briefs will be filed by each party. [RALJ 7.1](#); [RALJ 7.2](#). The required format for briefs filed in RALJs is set forth in [RALJ 7.3](#).

Each side is allowed ten (10) minutes for oral argument, or longer if ordered by the superior court. The first party to file a notice of appeal is entitled to open and conclude oral argument, unless otherwise ordered by the court. [RALJ 8.3](#). The parties may, at any time, agree to waive oral argument and submit the matter for consideration by the court on the briefs that have been submitted. The court may, on its own initiative, direct that there be no oral argument, once it has been received the brief of appellant and the brief of respondent. [RALJ 8.4](#).

The superior court reviews the decision of the court of limited jurisdiction to determine whether that court has committed any error of law in making its decision. [RALJ 9.1\(a\)](#). In doing so, the superior court accepts factual determinations supported by substantial evidence in the record which were made expressly by the lower court or which reasonably may be inferred from the lower court judgment. [RALJ 9.1\(b\)](#). However, the superior court will review a final judgment not designated in the notice of appeal only if the notice designates an order deciding a timely post-trial motion based on [CrRLJ 7.4](#) (arrest of judgment), [CrRLJ 7.5](#) (new trial), or [CRLJ 59](#) (new trial, reconsideration, and amendment of judgment). [RALJ 9.1\(d\)](#).

The superior court may reverse, affirm or modify the decision of the court of limited jurisdiction or remand the case back to that court for further proceedings. [RALJ 9.1\(e\)](#). The superior court shall not modify the sentence imposed in a criminal case unless the sentence is incorrect as a matter of law. [RALJ 9.1\(f\)](#).

The superior court's decision in the case, along with its reasons, must be in writing and filed in the clerk's office with the other papers in the case. [RALJ 9.1\(g\)](#). The decision of the superior court on appeal is subject to discretionary review pursuant to [RAP 2.3\(d\)](#). [RALJ 9.1\(h\)](#). The decision of the superior court is entered immediately after it is signed by the judge, and is deemed entered for all procedural purposes from the time of delivery to the superior court clerk for filing. [RALJ 9.2\(a\)](#).

The superior court clerk will transmit written notification of the superior court's decision to the court of limited jurisdiction and to each party not earlier than 30 days nor later than 60 days from the filing of the decision in superior court, unless a party files a timely

notice for discretionary review. [RALJ 9.2\(b\)](#). The court of limited jurisdiction shall comply with the mandate of the superior court and shall enter the judgment for enforcement in the court of limited jurisdiction. [RALJ 9.2\(c\)](#).

Except as otherwise provided in these rules, enforcement of a judgment following termination of appeal shall be in the court of limited jurisdiction. [RALJ 9.2\(d\)](#). A judgment entered in the court of limited jurisdiction may be registered and enforced in the superior court as authorized by law. [RALJ 9.2\(e\)](#).

In addition, the superior court clerk shall transmit a copy of the cost bill and any superior court decision allowing costs to the court of limited jurisdiction; the superior court clerk also sends a copy of the cost decision to each party. [RALJ 9.3\(f\)](#).

All fees, fines, forfeitures and penalties collected or assessed by a superior court in cases on appeal from a lower court shall be remitted to the municipal or district court from which the cases were appealed. [RCW 10.82.070\(3\)](#).

N. Costs

- (1) **Party Entitled to Costs** -- The party that substantially prevails on appeal shall be awarded costs on appeal. Costs will be imposed against a party whose appeal is involuntarily dismissed. Costs will be awarded in a case dismissed by reason of a voluntary withdrawal of an appeal only if the superior court so directs at the time the order is entered permitting the voluntary withdrawal of the appeal. [RALJ 9.3\(a\)](#).
- (2) **How Claimed** -- Costs must be claimed by serving a cost bill on all parties and filing it in the superior court within ten days after entry of the superior court decision on the appeal. The party should itemize each item of expense claimed in the cost bill. [RALJ 9.3\(b\)](#).
- (3) **Expenses Allowed As Costs** -- Pursuant to [RALJ 9.3\(c\)](#), only the reasonable expenses actually incurred by a party for the following items which were reasonably necessary for review may be awarded to a party as costs:
 - (a) statutory attorney fees allowed for a superior court nonjury trial;
 - (b) the superior court filing fee;
 - (c) the expense of obtaining a copy of the record of proceedings and the log for the record;
 - (d) the cost of preparing the transcript;
 - (e) the expense of bonds given in connection with the appeal; and
 - (f) such other sums as provided by statute.
- (4) **Objections to Costs Claimed** -- A party may object to items in the cost bill of another party by serving on all parties and filing with the superior court objections to the cost bill within ten days after service of the cost bill upon the party. [RALJ 9.3\(d\)](#).
- (5) **Award of Costs** -- The superior court judge who decided the appeal shall be informed by the parties if a dispute arises over costs. The judge shall decide the

dispute promptly after learning of it, without oral argument unless the judge otherwise directs. [RALJ 9.3\(e\)](#).

- (6) **Judgment for Costs** -- The costs claimed by a party shall be deemed awarded unless another party files and serves written objections within the time provided. [RALJ 9.3\(f\)](#).

The clerk of the superior court shall transmit a copy of the cost bill and any superior court decision allowing costs to the court of limited jurisdiction and a copy of the decision to each party. [RALJ 9.3\(f\)](#).

The costs awarded to a party shall become a part of any judgment entered under [RALJ 9.2\(c\)](#). [RALJ 9.3\(f\)](#).

- (7) **Attorney's Fees** -- A request for reasonable attorney fees should not be made in the cost bill. [RALJ 9.3\(g\)](#). The request should be made in the brief and oral argument, with an affidavit filed detailing the expenses incurred. [RALJ 11.2\(c\)](#), (d), and (e).

O. Dismissal of Appeal

- (1) **Involuntary Dismissal** -- The superior court, on motion of a party or on its own motion after fourteen (14) days' notice to the parties, will dismiss an appeal of the case, pursuant to [RALJ 10.2\(a\)](#):

- (a) for failure to timely file a notice of appeal; or
- (b) if the party appealing has abandoned the appeal.

However, the superior court, on its own initiative or on motion of a party, may extend the time for filing a notice of appeal, but only in extraordinary circumstances and to prevent a gross miscarriage of justice. Ordinarily the superior court will hold that the desirability of finality of decisions outweighs the privilege of a litigant to obtain an extension of time under this section. A motion to extend time is determined by the superior court to which the untimely notice of appeal is directed. [RALJ 10.3\(c\)](#).

Unless good cause is shown, an appeal will be deemed abandoned if there has been no action of record for 90 days. [RALJ 10.2 \(a\)](#).

- (2) **Voluntary Withdrawal of Appeal** -- The superior court, in its discretion, may dismiss an appeal on stipulation of all the parties and, in criminal cases, the written consent of the defendant. The superior court, in its discretion, may dismiss an appeal on the motion of a party who has filed a notice of appeal. [RALJ 10.2\(c\)](#).

P. Fees Relating to Appeals

- (1) **Mandatory Fees** --
Include:

- (a) Preparing the record of a case for appeal to superior court, a fee of forty dollars (\$40) including any costs of tape duplication as governed by the Rules of Appeal for Courts of Limited Jurisdiction (RALJs). [RCW 3.62.060\(8\)](#);

- (b) Duplication of part or all of the electronic recording of a proceeding, \$10 per tape or other storage medium. [RCW 3.62.060\(10\)](#) (previously [RCW 3.62.060\(8\)](#)) *See “Note” below*;
- (c) 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 two hundred dollars (\$200) to the superior court clerk. [RCW 36.18.020\(2\)\(b\)](#).

(2) **Optional Fees --**

- (a) For preparing a certified copy of an instrument on file or of record in the clerk’s office, for the first page or portion of the first page, a fee of five dollars, and for each additional page or portion of a page, a fee of one dollar; For authenticating or exemplifying an instrument, a fee of two dollars for each additional seal affixed;
- (b) For preparing a copy of an instrument on file or of record in the clerk’s office without a seal, a fee of fifty cents per page;
- (c) When copying a document without a seal or file that is in an electronic format, a fee of twenty-five cents per page;
- (d) For copies made on a compact disc, an additional fee of twenty dollars for each compact disc. (*See “Note” below*).

[RCW 3.62.060\(7\)](#).

Note: [SB 5277](#) (Senate Bill 5277 passed in 2009) added an optional \$20 fee for a CD copy under [RCW 3.62.060 \(7\)\(e\)](#).

Previously existing [RCW 3.62.060\(8\)](#), now [RCW 3.62.060\(10\)](#), provided a \$10 mandatory fee for an “electronic recording of a proceeding per tape or other storage medium”. A CD is an electronic storage medium. This provision specifically refers to costs related to duplication of an electronic recording.

The new optional fee under ([RCW 3.62.060 \(7\)\(e\)](#) added in 2009 [RCW 3.62.060](#), specifically refers to optional costs district courts can charge for preparing, certifying, authenticating, exemplifying, or copying documents or instruments on file or of record in the clerk's office. The various subsections within (7) provide the different fees for the different options, including with a seal, without a seal, or placed on a CD.

Common questions that arise regarding fees are captured in the [Washington Courts CLJ FAQs](#) on the Washington Courts website (https://custhelp.courts.wa.gov/cgi-bin/aocintranet.cfg/php/enduser/std_adp.php?p_faqid=2103).

Q. Tables of Clerk’s Fees:

- (1) The fees that the District and Municipal Courts clerks may assess effective July 26, 2009, are set forth in the forms at the end of this section and at the Washington Courts website [e-service FAQs](#).

- (2) The Civil Cost Fee Codes that went into effect July 7, 2009, can be found in the forms at the end of this Section and at the Washington Courts website e-service FAQs [Civil Cost Fee Codes](#).
- (3) Also provided is a chart displaying the [civil cost fee codes](#) for courts that charge a *dispute resolution fee*. The “Total Fees” column is formulated to update with the correct total when the local Dispute Resolution Fee is added to the “Fee(s)” column.
- (4) The [JIS Code Manual for Courts of Limited Jurisdiction](#) can be accessed on the Washington Courts website.