

Fiscal: Has minimal fiscal impact

Revenue: Revenue impact issued

Action Date: 06/11/15

Action: Do Pass With Amendments. (Printed C-Eng.)

Meeting Dates: 06/09, 06/11

Vote:

Yeas: 5 - Baertschiger Jr, Boquist, Edwards, Hass, Riley

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WHAT THE MEASURE DOES:

Increases fee amounts charged by justice courts for various filings. Creates perpetuation deposition for material witnesses.

ISSUES DISCUSSED:

- County courts and the shortages
- The financial support of county general fund for courts
- The material witness case in Washington County and partial solutions.

EFFECT OF COMMITTEE AMENDMENT:

The amendment allows for court proceedings to be recorded in other means than audio or stenographic only. That allowance is for municipal courts as well as justice courts. The amendment also makes language consistent with HB 3399.

BACKGROUND:

House Bill 2316 A creates a process for taking the deposition testimony of a material witness. The petition for deposition must be granted or denied within 30 days of filing. The amendment specifies that the deposition of a material witness does not invalidate or otherwise affect the material witness order, but may be considered in connection with an application to vacate or modify an order. Additionally, House Bill 2316 A increases a variety of fees charged by a Justice of the Peace. For example, the first appearance of the parties will increase from \$40 to \$90. Fees for filing a small claim will increase from \$28 to \$35 in 2015, and from \$35 to \$37 in 2018. Small fees for taking affidavits or taking depositions are removed. Trial fees for small claims trials are prohibited. Other trial fees are increased to \$100 per day, payable by the plaintiff. The second section of the measure deals with the issue of detention of a material witness.