

ORDINANCE NO. 603-05

**ASSESSMENT OF SUPERIOR COURT
FEE FOR FILING A TRIAL DE NOVO OF AN ARBITRATION AWARD**

WHEREAS, RCW 7.06.020(1) provides for mandatory arbitration on all civil actions where the sole relief sought is a money judgment of \$50,000.00 or less, exclusive of attorney's fees, interest and costs; and

WHEREAS, RCW 7.06.020(2) and Amended Local Superior Court Mandatory Arbitration Rules (LMAR) provides for mandatory arbitration for claims in which the sole relief sought is the establishment, modification, or termination of maintenance or child support payments which are not capable of resolution of the motion docket or by agreement, regardless of the number or amount of payments; and

WHEREAS, the State of Washington Mandatory Arbitration Rules (MAR 7.1) provides in part that an aggrieved party, within twenty (20) days after the arbitration award is filed with the Superior Court Clerk, may serve and file with the Superior Court Clerk a written request for a trial de novo; and

WHEREAS, the Washington State Legislature, in the 2005 regular session, amended RCW 36.18.016 to add subsection (25) that allows the County Legislative Authority to charge a fee of two hundred fifty dollars (\$250.00) for filing a request for trial de novo of an arbitration award;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Mason County Commissioners that effective July 27, 2005 the Superior Court Clerk is authorized and directed to assess and collect a two hundred fifty dollar (\$250.00) fee authorized by RCW 36.18.016(25) and the Laws of 2005, Chapter 457, Section 18 (25), on those Superior Court cases filed under Title 7.06 RCW requesting a trial de novo of an arbitration award.

DATED at Shelton, Washington, this 5th day of July, 2005.

BOARD OF MASON COUNTY COMMISSIONERS

Jayne L. Kamin
JAYNE KAMIN, Chairperson

Synda Ring-Erickson
LYNDA RING-ERICKSON, Commissioner

Tim Sheldon
TIM SHELTON, Commissioner

ATTEST:

Rebecca S. Rogers
REBECCA S. ROGERS, Clerk of the Board

APPROVED AS TO FORM:
Michael E. Clift, CHIEF DPA

MICHAEL E. CLIFT, Deputy Prosecutor

- cc: Clerk
- Auditor
- Account Dept. (2)
- Treasurer
- File