

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON**

**IN THE MATTER OF:**

RESOLUTION NO. 24-216

NOTICE OF HEARING REGARDING ORDINANCE 1356, WHICH WOULD ADD COURTHOUSE FACILITATOR PROGRAM (CHAPTER 9.40) TO LEWIS COUNTY CODE TO CODIFY THE ESTABLISHMENT OF THE PROGRAM AND THE COLLECTION OF SURCHARGES, LICENSE FEES AND USER FEES TO DEFRAY THE COST OF THE PROGRAM

**WHEREAS**, Lewis County would like to codify the establishment of its Courthouse Facilitator Program and the collection of surcharges, license fees and user fees to defray the cost of the program; and

**WHEREAS**, the Lewis County Board of County Commissioners (BOCC) will hold a public hearing to consider and take public testimony regarding proposed Ordinance 1356, which would add Courthouse Facilitator Program under Chapter 9.40 of Lewis County Code, establishing the program and codifying the collection of domestic filing surcharges and additional marriage license and user fees to defray the cost of the program; and

**WHEREAS**, a hearing regarding proposed Ordinance 1356 will be held at or after 10 a.m. Aug. 6, 2024, in the Commissioners' Hearing Room on the second floor of the Historic Courthouse at 351 N.W. North Street in Chehalis.

**NOW THEREFORE BE IT RESOLVED** that the BOCC will hold a public hearing in the Commissioners' Hearing Room in the Historic Courthouse at 351 N.W. North Street in Chehalis at or after 10 a.m. Aug. 6, 2024, to consider and take public testimony about proposed Ordinance 1356, which would codify the Courthouse Facilitator Program under Chapter 9.40 of Lewis County Code, establishing the program and codifying the collection of domestic filing surcharges and additional marriage license and user fees to defray the cost of the program; and

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Clerk of the Board is hereby instructed to proceed with all appropriate and necessary notifications, postings and publications as required by law.

DONE IN OPEN SESSION this 9th day of July, 2024.

APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

David Bailey  
By: David Bailey,  
Chief Civil Deputy Prosecuting Attorney

Scott J. Brummer  
Scott J. Brummer, Chair

ATTEST:



Lindsey R. Pollock, DVM  
Lindsey R. Pollock, DVM, Vice Chair

Rieva Lester, CMC  
Rieva Lester, CMC,  
Clerk of the Lewis County Board of  
County Commissioners

Sean D. Swope  
Sean D. Swope, Commissioner

## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the **LEWIS COUNTY, WASHINGTON, BOARD OF COUNTY COMMISSIONERS** will hold a **public hearing at or after 10 a.m. on Aug. 6, 2024**, to receive public testimony on Ordinance 1356, which would add Courthouse Facilitator Program under Chapter 9.40 of Lewis County Code, establishing the program and codifying the collection of domestic filing surcharges and additional marriage license and user fees to defray the cost of the program.

The hearing will take place in the Commissioners' Hearing Room on the second floor of the Historic Courthouse at 351 N.W. North Street in Chehalis, Wash. Interested parties are encouraged to check the Commissioners' Business Meeting agenda at <https://lewiscountywa.gov/offices/commissioners/agendas-calendar/> for a link to the draft ordinance, Zoom details and any scheduling updates. The agenda will be posted at least 24 hours in advance of the meeting. Please select the agenda for July 9, 2024 (Notice) or Aug. 6, 2024 (Hearing) to view the draft ordinance. The draft is subject to change before or at the hearing.

To request a copy of the proposal or submit written comment, please contact Rieva Lester at [rieva.lester@lewiscountywa.gov](mailto:rieva.lester@lewiscountywa.gov) by 3 p.m. Aug. 2, 2024. Please include "Ordinance 1356" in the subject line. Comments also may be sent via postal service to BOCC, Ordinance 1356, Room 210, 351 NW North Street, Chehalis, WA 98532.

*The meeting site is barrier free. People needing special assistance or accommodations should contact Rieva Lester at 360-740-1419 at least 72 hours in advance of the meeting.*

Publish in The East County Journal: July 10, 2024



**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF LEWIS COUNTY, WASHINGTON**

**ESTABLISH COURTHOUSE FACILTATOR PROGRAM,  
CHAPTER 9.40 OF LEWIS COUNTY CODE**

**ORDINANCE 1356**

**WHEREAS**, Lewis County Superior Court and District Court each address legal issues that concern the safety and property of adults and children who live together or are related; and

**WHEREAS**, cases such as dissolution of marriage, separation, child support, adoption and paternity are subjects where the public's experience with the judicial system can be made more pleasant by aiding people who chose to present their own cases in Court before they appear before a judge; and

**WHEREAS**, judges are limited in their ability to provide advice to persons who represent themselves in Court by the rules of judicial conduct and Court staff has limited time and ability to assist the public; and

**WHEREAS**, a proven program to alleviate the burden of the courts from people representing themselves in Washington State is the a Courthouse Facilitator Program, where the facilitator discusses the court process with the citizen; and

**WHEREAS**, the Washington State Legislature enacted RCW 26.12.240 in 1993, authorizing the legislative authority of any county to impose user fees or a surcharge of up to \$10 (ten dollars), or both, on those Superior Court cases filed under Title 26 RCW. The Legislature later amended RCW 26.04.160 to authorize the county legislative authority to impose an additional fee of up to \$15 (fifteen dollars) on a marriage license for the purpose of funding family services; and

**WHEREAS**, the Lewis County Board of County Commissioners (BOCC) passed Resolution 93-707 on December 30, 1993, to, in part:

- Establish a courthouse facilitator program to provide basic services in family law cases to pro se litigants meeting poverty guidelines for indigent defense services.
- Impose a surcharge of \$10 (ten dollars) on each Superior Court case filed under RCW 26.
- Authorize provision of the following family court services by contract with service providers: (1) mediation; (2) investigation, evaluation and reporting to the court; and (3) reconciliation.

- Impose a surcharge of \$23 (twenty-three dollars) on each marriage license issued by the Lewis County Auditor.

**WHEREAS**, the Superior Court case surcharge increased from \$10 (ten dollars) to \$20 (twenty dollars) in 2005 as allowed per SB 5454; and

**WHEREAS**, the Lewis County Superior Court has requested that the BOCC consider adopting an ordinance to codify the establishment of a Courthouse Facilitator Program and the collection of domestic filing surcharges and additional marriage license and user fees to defray the cost of the program; and

**WHEREAS**, the BOCC finds it is the public's best interests to codify the establishment of a Courthouse Facilitator Program and codify the collection of domestic filing surcharges and additional marriage license and user fees to defray the cost of the program.

**NOW THEREFORE BE IT ORDAINED** that the BOCC hereby repeals and replaces Resolution 93-707; and

**BE IT FURTHER ORDAINED** that the BOCC hereby adds Chapter 9.40 to Lewis County Code as follows:

**Chapter 9.40**  
**COURTHOUSE FACILITATOR PROGRAM**

Sections:

- |          |   |
|----------|---|
| 9.40.010 | Domestic Case Surcharge.                              |
| 9.40.020 | Marriage License Surcharge.                           |
| 9.40.030 | Authority to Impose Fee for Use of Court Facilitator. |
| 9.40.040 | Use of Funds in Court Facilitator Account.            |
| 9.40.050 | Severability.   |
| 9.40.060 | Effective Date.                                       |

**9.40.010 Domestic Case Surcharge.**

An additional fee is hereby imposed upon the initial filing of all Lewis County Superior Court cases filed under Title 26 RCW, which fee amount shall be set by Resolution and which fee shall be collected by the Lewis County Clerk and remitted to the Lewis County Treasurer and shall be maintained in a separate account as provided by RCW 26.12.240.



**9.40.020 Marriage License Surcharge.**

A fee \$23 is hereby imposed in addition to the fees set by RCW 36.18.010 upon the issuance of marriage license by the Lewis County Auditor, which fee shall be collected by the Lewis County Auditor and remitted to the Lewis County Treasurer and shall be maintained in the Court Facilitator Account.

**9.40.030 Authority to Impose Fee for Use of Court Facilitator.**

A fee is hereby authorized for the reservation of the time of the Courthouse Facilitator in an amount not to exceed \$25 (twenty-five dollars) per visit. Such fee may be payable at the time the reservation is made. Fees collected under this section shall be promptly remitted to the County Treasurer and maintained in the Court Facilitator Account for the uses set forth for that Account.

**9.40.040 Use of Funds in Court Facilitator Account.**

The monies in the Court Facilitator Account may be spent only after appropriation. Expenditures from the account may be used only for the personnel, benefits, and maintenance and operations incident to the Court Facilitator program of the Superior Court to provide services and materials to assist persons who are not represented by counsel in civil cases brought pursuant to Title 26 RCW.

**9.40.050 Severability.**

Should any section, paragraph, sentence, clause, or phrase of this chapter, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this chapter be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this chapter or its application to other persons or circumstances.

**9.40.060 Effective Date**

This effective date of the ordinance codified in this chapter shall be January 1, 2024.

PASSED IN REGULAR SESSION THIS 6th day of August 2024, following a public hearing publicized in the newspaper of record on July 10, 2024.

APPROVED AS TO FORM:  
Jonathan Meyer, Prosecuting Attorney

BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON

\_\_\_\_\_  
By: David Bailey, Chief Civil DPA

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Scott J. Brummer, Chair

ATTEST:

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Lindsey R. Pollock, DVM, Vice Chair

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Rieva Lester, CMC, Clerk of the Board

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Sean D. Swope, Commissioner

# BOCC AGENDA ITEM SUMMARY

**Resolution:** 24-216

**BOCC Meeting Date:** July 9, 2024

**Suggested Wording for Agenda Item:**

**Agenda Type:** Legal Notice

Notice of hearing regarding Ordinance 1356, which would add Courthouse Facilitator Program (Chapter 9.40) to Lewis County Code to codify the establishment of the program and the collection of surcharges, license fees and user fees to defray the cost of the program

**Contact:** Rieva Lester

**Phone:** 360-740-1419

**Department:** BOCC - Board of County Commissioners

## Description:

Notice of hearing regarding Ordinance 1356, which would add Courthouse Facilitator Program (Chapter 9.40) to Lewis County Code to codify the establishment of a Courthouse Facilitator Program and codify the collection of domestic filing surcharges and additional marriage license and user fees to defray the cost of the program

## Approvals:

User	Status
PA's Office	Approved

## Publication Requirements:

### Publications:

East County Journal - July 10

## Additional Copies:

Susie Palmateer, Stacey Werner

## Cover Letter To: