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FISCAL NOTE(Form 1)
(Office of Fiscal Analysis)
Analyst: AC 4/15/92
cz
Version:

BILL NUMBER: SHB 5881
FILE NUMBER:
AMENDMENTS:

TITLE: "AN ACT CONCERNING THE EXPEDITED PROCESS OF CERTAIN CIVIL CASES"

FAVORABLY REPORTED BY Judiciary

EFFECTIVE DATE: 1/1/93, except for adoption of new rules by the Court, which is effective upon passage.

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FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5881

STATE IMPACT See explanation below
MUNICIPAL IMPACT None
STATE AGENCY(S) Judicial Department

EXPLANATION OF ESTIMATES:

STATE IMPACT: The passage of the bill would result in potential savings to the Judicial Department. The bill creates new expedited procedures for civil cases where the potential recovery is less than \$35,000. To the extent that plaintiffs or defendants would not object to these procedures and choose the expedited case process, demands on the court system would be reduced resulting in savings of court time and case processing. Actual budgetary savings associated with reduced paperwork and related resources is anticipated to be minimal.

The bill also requires these expedited case procedures for "actions" brought under the uninsured and underinsured motorist statutes after December 31st. Assuming that "actions" would be equivalent to "civil cases", potential savings, of the kind described above, could be achieved by the Judicial Department. However, it should be noted that the existence of expedited case procedures may invite those normally deterred from bringing civil suit to now file actions under the process. If this occurs, the caseload demands of the new process may offset or outweigh the savings achieved by reduced case timeframes.

It should also be noted that if the requirement that all "actions" brought under the uninsured or underinsured motorist statutes means actions that are not only civil cases, but also private actions, potential cost associated with increased caseload would result.

The bill also increases from two to six years the minimum time in which an insurance policy can require a person to submit an uninsured or underinsured motorist claim to arbitration. To the extent that the option of arbitration would be available to more individuals seeking redress who would have had to file suit otherwise, caseload savings to the Judicial Department may occur.

Finally, to the extent that expedited cases would be filed with the courts, revenue from the \$125 filing fee would occur but would not outweigh the cost of processing the case.