
HOUSE BILL 1190

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Appelwick, Paris and Padden.

Read first time January 23, 1991. Referred to Committee on Judiciary.

1 AN ACT Relating to courts; amending RCW 4.84.130, 4.84.250,
2 3.66.020, and 2.08.010; adding a new section to chapter 3.66 RCW;
3 providing an effective date; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 4.84.130 and 1987 c 202 s 122 are each amended to read
6 as follows:

7 In all civil actions tried before the district court, in which an
8 appeal (~~((shall be))~~) is taken to the superior court, and the (~~((party))~~)
9 appellant (~~((shall))~~) does not recover a more favorable judgment in the
10 superior court than before the district court, (~~((such))~~) the appellant
11 shall pay all costs and reasonable attorneys' fees.

12 **Sec. 2.** RCW 4.84.250 and 1984 c 258 s 88 are each amended to read
13 as follows:

1 Notwithstanding any other provisions of chapter 4.84 RCW and RCW
2 12.20.060, in ~~((any))~~ an action for damages where the amount pleaded by
3 the prevailing party ~~((as hereinafter defined))~~ is, exclusive of costs,
4 ~~((is seven))~~ twenty-five thousand ~~((five hundred))~~ dollars or less,
5 there shall be taxed and allowed to the prevailing party as a part of
6 the costs of the action a reasonable amount to be fixed by the court as
7 attorneys' fees. ~~((After July 1, 1985, the maximum amount of the~~
8 ~~pleading under this section shall be ten thousand dollars.))~~

9 **Sec. 3.** RCW 3.66.020 and 1984 c 258 s 41 are each amended to read
10 as follows:

11 The district court shall have jurisdiction and cognizance of the
12 following civil actions and proceedings if the value of the claim or
13 the amount at issue does not exceed twenty-five thousand dollars,
14 exclusive of interest, costs, and attorneys' fees:

15 (1) ~~((Of an))~~ Actions arising on contract for the recovery of money
16 only ~~((in which the sum claimed does not exceed seven thousand five~~
17 ~~hundred dollars))~~;

18 (2) ~~((Of an))~~ Actions for damages for injuries to the person, or
19 for taking or detaining personal property, or for injuring personal
20 property, or for an injury to real property when no issue raised by the
21 answer involves the plaintiff's title to or possession of the same ~~((~~
22 ~~when the amount of damages claimed does not exceed seven thousand five~~
23 ~~hundred dollars; also of))~~;

24 (3) Actions to recover the possession of personal property ~~((when~~
25 ~~the value of such property as alleged in the complaint, does not exceed~~
26 ~~seven thousand five hundred dollars))~~;

27 ~~((3) Of an))~~ (4) Actions for a penalty ~~((not exceeding seven~~
28 ~~thousand five hundred dollars))~~;

1 ~~((4) Of an)~~ (5) Actions upon a bond conditioned for the payment
2 of money, ~~((when the amount claimed does not exceed seven thousand five~~
3 ~~hundred dollars,~~) though the penalty of the bond exceeds ~~((that sum))~~
4 the count's jurisdictional limit, the judgment to be given for the sum
5 actually due, not exceeding the amount claimed in the complaint;

6 ~~((5) Of an)~~ (6) Actions on an undertaking or surety bond taken by
7 the court~~((, when the amount claimed does not exceed seven thousand~~
8 ~~five hundred dollars))~~;

9 ~~((6) Of an)~~ (7) Actions for damages for fraud in the sale,
10 purchase, or exchange of personal property~~((, when the damages claimed~~
11 ~~do not exceed seven thousand five hundred dollars))~~;

12 ~~((7))~~ (8) Proceedings to take and enter judgment on confession of
13 a defendant~~((, when the amount of the judgment confessed does not~~
14 ~~exceed seven thousand five hundred dollars))~~;

15 ~~((8))~~ (9) Proceedings to issue writs of attachment, garnishment,
16 and replevin upon goods, chattels, moneys, and effects~~((, when the~~
17 ~~amount does not exceed seven thousand five hundred dollars))~~; and

18 ~~((9) Of)~~ (10) All other actions and proceedings of which
19 jurisdiction is specially conferred by statute~~((, when the amount~~
20 ~~involved does not exceed seven thousand five hundred dollars))~~ and the
21 title to, or right of possession of, or a lien upon real property is
22 not involved.

23 ~~((The seven thousand five hundred dollar amounts provided in~~
24 ~~subsections (1) through (9) of this section shall remain in effect~~
25 ~~until June 30, 1985; effective July 1, 1985, such amount shall be~~
26 ~~increased to ten thousand dollars.~~

27 ~~The amounts of money referred to in this section shall be exclusive~~
28 ~~of interest, costs and attorney's fees.))~~

1 **Sec. 4.** RCW 2.08.010 and 1955 c 38 s 3 are each amended to read as
2 follows:

3 The superior court shall have original jurisdiction (~~((in all cases~~
4 ~~in equity, and))~~) in all cases at law which involve the title or
5 possession of real property, or the legality of any tax, impost,
6 assessment, toll or municipal fine, and in all other cases in which the
7 demand or the value of the property in controversy amounts to (~~(three~~
8 ~~hundred)) twenty-five thousand dollars, and in all criminal cases
9 amounting to felony, and in all cases of misdemeanor not otherwise
10 provided for by law; of actions of forcible entry and detainer; of
11 proceedings in insolvency; of actions to prevent or abate a nuisance;
12 of all matters of probate, of divorce and for annulment of marriage,
13 and for such special cases and proceedings as are not otherwise
14 provided for; and shall also have original jurisdiction in all cases
15 and of all proceedings in which jurisdiction shall not have been by law
16 vested exclusively in some other court, and shall have the power of
17 naturalization and to issue papers therefor. Said courts and their
18 judges shall have power to issue writs of mandamus, quo warranto,
19 review, certiorari, prohibition and writs of habeas corpus on petition
20 by or on behalf of any person in actual custody in their respective
21 counties. Injunctions and writs of prohibition and of habeas corpus
22 may be issued on legal holidays and nonjudicial days.~~

23 NEW SECTION. **Sec. 5.** A new section is added to chapter 3.66 RCW
24 to read as follows:

25 The state bar association, superior court judge's association, and
26 the district and municipal court judge's association shall review the
27 civil jurisdictional limits of the district courts and make their
28 recommendations, if any, to the legislature each biennium beginning
29 December 15, 1992, regarding the increase of the jurisdictional limits.

1 NEW SECTION. **Sec. 6.** If any provision of this act or its
2 application to any person or circumstance is held invalid, the
3 remainder of the act or the application of the provision to other
4 persons or circumstances is not affected.

5 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
6 preservation of the public peace, health, or safety, or support of the
7 state government and its existing public institutions, and shall take
8 effect July 1, 1991.