

SENATE BILL REPORT

SB 5893

As of February 24, 1995

Title: An act relating to publication of summons.

Brief Description: Decreasing from six to three weeks the period for publication of summons.

Sponsors: Senators Hale, Haugen, McCaslin, Prentice and Deccio.

Brief History:

Committee Activity: Law & Justice: 2/27/95.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Martin Lovinger (786-7443)

Background: When a defendant cannot be found in the state, the law permits the defendant to be served with a summons by publication. The law sets forth the specific circumstances when this alternative form of service may be used, and the manner of publication. The publication must appear in a general circulation newspaper once a week for six consecutive weeks.

There are other statutes, such as notice to unknown creditors in probate matters, that require publication of notice once a week for only three consecutive weeks.

In some cases, such as an uncontested divorce, the cost of publication of the summons may be higher than the attorney's fees for handling the matter.

Summary of Bill: The publication of summons must be made once a week for three consecutive weeks.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.