HOUSE BILL REPORT

SHB 2370

As Passed Legislature

Title: An act relating to registration of process servers.

Brief Description: Requiring the registration of process servers.

Sponsor(s): By House Committee on Judiciary (originally sponsored by Representatives Padden, Appelwick, Paris, Ludwig, Vance, Riley, Forner, Broback, D. Sommers, Inslee, Scott, R. Johnson, Franklin, Winsley, Mitchell and Bowman).

Brief History:
Reported by House Committee on:
   Judiciary, February 4, 1992, DPS;
Passed House, February 13, 1992, 96-0;
Amended by Senate;
Passed Legislature.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: The substitute bill be substituted *therefor and the substitute bill do pass.* Signed by 18 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Paris, Assistant Ranking Minority Member; Belcher; Broback; Forner; Hargrove; Inslee; Locke; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Pat Shelledy (786-7149).

Background: Process servers who engage in the business of service of process for a fee currently do not have to register. If a process server improperly serves process, an injured party may not be able to find the process server to seek redress.

Summary of Bill: A person who serves legal process for a fee in the state of Washington must register as a process server with the auditor of the county in which the process server resides or operates his or her principle place of business. The registration requirement does not apply to several types of servers: sheriffs, attorneys not serving on a fee basis, court personnel serving the court's process, people who do not receive a fee for serving process, and

employees of registered servers and those not required to register.

The auditor may charge a registration fee up to $10. The Office of the Administrator for the Courts will develop registration forms. The county auditor will maintain a register of process servers and issue a registration number to the process servers. The process servers must use the registration number on all proof of service of process. The process server must renew the registration annually or within 10 days of when the server's address or other identifying information changes, whichever occurs first. The server must pay the registration fee upon renewal.

If a person does not hire a registered process server, the person may not collect the costs of service, unless the process server registers within 45 days after serving the process. This provision applies to processes served on or after August 1, 1992.

The bill does not modify civil court rule 4 which governs service of process.

Fiscal Note: Available.

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

Testimony For: (Original bill): The bill will enable the public to find process servers who serve process improperly. The bill does not impose restrictions on entry into the field of process serving.

Testimony Against: None.

Witnesses: Gary Ramey and Walt Corneille, Washington State Process Servers Association (in favor).