

**SENATE BILL REPORT**

**SB 6187**

**AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 7, 1992**

**Brief Description:** Allowing service of process on a marital community by serving either spouse.

**SPONSORS:** Senators Nelson, Madsen and A. Smith

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** That Substitute Senate Bill No. 6187 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Erwin, Hayner, M. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

**Staff:** Jack Brummel (786-7428)

**Hearing Dates:** February 6, 1992; February 7, 1992

**BACKGROUND:**

Service of process on either member of a marital community is valid in an action against the community. In an action against one spouse, service on the other is valid against the first if made at their dwelling.

**SUMMARY:**

Service of process against a marital community may be obtained 1) by personally serving either member of the community, 2) by leaving a copy of the summons at either spouse's house with someone of suitable age and discretion residing there, or 3) by serving both spouses personally if they are legally separated.

**EFFECT OF PROPOSED SUBSTITUTE:**

Service of a summons may be obtained against one spouse by serving the other spouse personally or by leaving the summons at their home. A summons must be served on each spouse individually if they do not reside together.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

This bill would reduce time delays and costs in bringing suits against a marital community. It addresses a concern about

locating people for actual notice when spouses are not living together.

**TESTIMONY AGAINST:** None

**TESTIFIED:** PRO: Benita McCormick, Bill Pratt, Washington Collectors Association; Walt Corneille, Gary Ramey, Washington State Process Servers Association