

SENATE BILL REPORT

SB 6264

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

**Brief Description:** Requiring the registration of process servers.

**SPONSORS:** Senators Nelson, A. Smith, Erwin and McMullen

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** That Substitute Senate Bill No. 6264 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:**

Process servers are not currently required to register with the state or with the county in which they reside or work. When questions arise at trials regarding the validity of service of process, some process servers cannot be found.

**SUMMARY:**

County clerks are required to develop a registration process for maintaining a register of process servers in the county. The clerks may collect an annual fee of up to \$10 from each process server.

The Office of the Administrator for the Courts is to develop a registration form for clerks to use in the registration process in order to identify and locate process servers.

Process servers and their employees are required to list the process server's registration number and county of registration on any proof of service document.

**EFFECT OF PROPOSED SUBSTITUTE:**

A person who does not use a process server registered under this act at the time of service or within 45 days after serving process, or one who is exempt from registration requirements, may not collect the costs of the service of the process.

The provisions of this act do not modify superior court civil rule 4 which governs who is eligible to serve process.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** requested January 30, 1992

**TESTIMONY FOR:**

This will protect the public from fly-by-night process servers. If an affidavit is questioned there should be a way to locate the process server.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Kay Anderson, Snohomish County Clerk; Walt Corneille, Gary Ramey, Washington State Process Servers Association (pro)