

SENATE BILL REPORT

HB 1447

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 22, 1994

Brief Description: Authorizing the filing of foreign judgments in district court.

SPONSORS: Representatives Appelwick and Padden

HOUSE COMMITTEE ON JUDICIARY

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators A. Smith, Chairman; Ludwig, Vice Chairman; Hargrove, Nelson, Niemi, Quigley, Roach, Schow and Spanel.

Staff: Martin Lovinger (786-7443)

Hearing Dates: March 22, 1993; March 23, 1993; February 18, 1994; February 22, 1994

BACKGROUND:

A judgment rendered in another state can be filed only in a superior court of this state, after which the "foreign" judgment is treated the same as if it had been the judgment of a Washington superior court. But, at least 10 days must elapse after the filing of a foreign judgment before a foreign judgment can be enforced.

Superior courts in this state impose higher filing fees than do district courts, and typically have greater backlogs of cases.

Unlike superior courts, district courts lack jurisdiction over some subject matters (such as actions concerning title to real property, or actions for slander) and over claims exceeding \$25,000. Some different procedural rules apply to district courts. Also, court rules require a 14-day wait before a judgment of a Washington district court can be enforced.

Prior to 1977, a foreign judgment could be registered in any state court having jurisdiction.

SUMMARY:

A judgment rendered in another state may be filed in a district court of this state, provided the judgment is within the district court's civil jurisdiction. The judgment will be treated the same as if it were a judgment of a district court.

A foreign judgment filed in a district court may not be enforced until 14 days after the judgment is filed, or 14 days after the notice of filing is mailed, whichever is later.

SUMMARY OF PROPOSED COMMITTEE AMENDMENT:

A foreign judgment can only be filed in a district court that has both civil jurisdiction and venue.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR: None

TESTIMONY AGAINST: None

TESTIFIED: No one