

**SENATE BILL REPORT**

**ESB 5018**

**AS PASSED SENATE, JANUARY 28, 1994**

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

**SPONSORS:** Senator Nelson

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** Do pass.

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

**Staff:** Dick Armstrong (786-7460)

**Hearing Dates:** January 22, 1993; January 27, 1993; January 11, 1994; January 12, 1994

**BACKGROUND:**

In an action against one or both spouses of a marital community, service of process is made on both spouses by serving each spouse personally or by leaving a copy of the summons for each spouse at their residence with a person of suitable age and discretion.

It would reduce time delays and costs of litigation if, in actions against one or both spouses of a marital community, service of process could be accomplished by serving either spouse personally or by leaving a copy of the summons at their residence.

**SUMMARY:**

Service of process may be obtained against one or both spouses of a marital community by serving either spouse personally or by leaving a copy of the summons at their home. A summons must be served on each spouse if they do not reside together.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

The bill will reduce the costs of lawsuits if either spouse of a marital community can be served individually, but have service treated as if both spouses had been served.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Mark Gjurasic, Kevin Underwood, Washington Collectors  
Association