

HOUSE BILL REPORT

HB 1450

As Passed Legislature

Title: An act relating to summaries of judgments.

Brief Description: Including certain judgments to be summarized.

Sponsors: Representatives Appelwick and Padden.

Brief History:

Committee Activity:

Law & Justice: 2/7/95, 2/15/95 [DP].

Floor Activity:

Passed House: 2/22/95, 97-0.

Passed Legislature.

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 17 members: Representatives Padden, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Sheahan; Smith; Thibaudeau and Veloria.

Staff: Pat Shelledy (786-7149).

Background: County clerks are responsible for entering judgments in execution dockets. The clerk must specify the amount to be recovered and the relief granted. To assist the clerk with this record keeping function, the first page of a judgment that provides for payment of money must contain a summary of the judgment so the clerk does not have to read the entire document to obtain the needed information or interpret the judgment. The summary must contain the names of the judgment creditor, debtor, and the parties' attorneys, the amount of the judgment and the interest owed, and the total taxable costs and attorneys' fees if known. The clerk may not file a judgment that lacks a summary, and a judgment does not take effect until it has a summary.

The requirement that a judgment contain a judgment summary only applies to judgments for money. The clerks would like summaries of other judgments as well to assist them with their record keeping.

Summary of Bill: Judgments in rem, mandates of judgments, and judgments on garnishments must also contain judgment summaries.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Summaries of judgments save clerks time and also help clerks avoid making interpretations of judgment provisions.

Requiring summaries on garnishment judgments complicates the practice a bit.

Testimony Against: None.

Testified: Debbie Wilke, Washington Association of County Clerks (pro); Melanie Stewart, Municipal and District Judges Association (pro); and Kevin Underwood, attorney.