

HOUSE BILL REPORT

HB 1515

As Reported By House Committee On:
Law & Justice

Title: An act relating to jurisdiction over judgments.

Brief Description: Authorizing judgments of courts of limited jurisdiction to be enforced in certain other state courts.

Sponsors: Representatives Hickel, Appelwick and Padden.

Brief History:

Committee Activity:

Law & Justice: 2/7/95, 2/28/95 [DP].

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: Brian Buckley (786-7291).

Background: There is apparently some uncertainty under current law regarding the power of the district courts to civilly enforce judgments rendered in other Washington courts of limited jurisdiction.

Summary of Bill: The bill expands the jurisdiction of Washington district courts. The bill provides that district courts will have jurisdiction over the civil enforcement of judgments rendered in other Washington courts of limited jurisdiction, if the value of such judgment does not exceed \$25,000. Courts of limited jurisdiction include district and municipal courts organized under Titles 3, 35, and 35A RCW.

The bill provides alternatives for determining which district court will hear a particular civil enforcement proceeding. The enforcement proceeding may be brought in the district in which the court of limited jurisdiction that rendered the original judgment is located. The proceeding may also be brought in any district in which any defendant in the action resides. Finally, the proceeding may be brought in the district

in which any property or person subject to garnishment, execution, or examination pursuant to execution in the action is located.

The fee for filing the abstract or transcript of judgment from another court of limited jurisdiction with the district court is established at \$31. The jurisdiction of the district court over a civil enforcement proceeding accrues upon the filing of the abstract or transcript of judgment from the other court of limited jurisdiction.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The bill facilitates the enforcement of judgments from courts of limited jurisdiction by allowing such enforcement in the most appropriate district court or courts.

Testimony Against: None.

Testified: Kevin Underwood, Washington Collectors Association (pro); and Melanie Stewart, Municipal and District Court Judges Association (with concerns).