

HOUSE BILL ANALYSIS

HB 2499

Title: An act relating to jurisdiction of district courts in civil cases.

Brief Description: Extending the long arm statute to district court civil cases.

Sponsors: Representatives Sheahan, Appelwick, McMorris, Radcliff, Alexander, Grant, O'Brien, Doumit, Ogden and Thompson.

HOUSE COMMITTEE ON LAW & JUSTICE

Staff: Edie Adams (786-7180).

Background: District courts are organized within the counties of the state. District courts are courts of limited jurisdiction, meaning that they only have jurisdiction over matters as specified by statute. The subject matter jurisdiction of district courts in civil causes of action is set forth in statute to include matters such as actions arising on contract, personal injury and property damage actions, and penalty actions. District courts are prohibited from exercising jurisdiction over some types of actions, such as actions involving title to real property and actions for false imprisonment, libel, and slander. In addition, district courts may not exercise subject matter jurisdiction over claims that exceed \$35,000.

A district court's territorial jurisdiction is generally defined by the boundaries of the county. In criminal cases, a district court will have jurisdiction over the crime if the crime was committed within the county's boundaries. With respect to civil causes of action, the district court's territorial jurisdiction generally extends to causes of action that arise within the county or causes of action involving a defendant who resides in the county.

For the purposes of issuing civil process, such as writs of execution, attachment, and garnishment, the Legislature has expanded a district court's territorial jurisdiction to include the entire state if the district court has the authority to hear the underlying cause of action. The district court does not have the authority to issue civil process outside the state.

Summary of Bill: The territorial jurisdiction of a district court for the purpose of issuing civil process is extended to any place, including out of state, as permitted by statute or rule. District courts are not authorized to issue personal service of process to parties outside of the state in actions filed in small claims court or in civil infraction cases.

Fiscal Note: Not requested.

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

Office of Program Research