

2 **SHB 2461** - S COMM AMD
3 By Committee on Judiciary

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5 Strike everything after the enacting clause and insert the
6 following:

7 "Sec. 1. RCW 4.56.100 and 1997 c 358 s 4 are each amended to read
8 as follows:

9 (1) When any judgment for the payment of money only shall have been
10 paid or satisfied, the judgment creditor shall file with the clerk of
11 the court in which the judgment was rendered an acknowledgment of
12 satisfaction if payment was made to the creditor rather than the clerk.
13 The clerk of the court in which such judgment was rendered shall note
14 upon the record in the execution docket satisfaction thereof giving the
15 date of such satisfaction upon either the payment to such clerk of the
16 amount of such judgment, costs and interest and any accrued costs by
17 reason of the issuance of any execution, or the filing with such clerk
18 of a satisfaction entitled in such action and identifying the same
19 executed by the judgment creditor or his or her attorney of record in
20 such action or his or her assignee acknowledged as deeds are
21 acknowledged. The clerk has the authority to note the satisfaction of
22 judgments for criminal and juvenile legal financial obligations when
23 the clerk's record indicates payment in full or as directed by the
24 court. Every satisfaction of judgment and every partial satisfaction
25 of judgment which provides for the payment of money shall clearly
26 designate the judgment creditor and his or her attorney if any, the
27 judgment debtor, the amount or type of satisfaction, whether the
28 satisfaction is full or partial, the cause number, and the date of
29 entry of the judgment. A certificate by such clerk of the entry of
30 such satisfaction by him or her may be filed in the office of the clerk
31 of any county in which an abstract of such judgment has been filed.
32 When so satisfied by the clerk or the filing of such certificate the
33 lien of such judgment shall be discharged.

34 (2) The department of social and health services shall file a
35 satisfaction of judgment for welfare fraud conviction if a person does

1 not pay money through the clerk as (~~required~~) allowed under
2 subsection (1) of this section.

3 (3) The department of corrections shall file a satisfaction of
4 judgment if a person does not pay money through the clerk's office as
5 (~~required~~) allowed under subsection (1) of this section.

6 (4) If the judgment debtor makes payment directly to the judgment
7 creditor in full satisfaction of judgment, including payment of any
8 fees associated with filing the satisfaction of judgment and any
9 postjudgment interest and awarded costs and fees, the judgment creditor
10 shall file a satisfaction of judgment with the clerk of the court.

11 (5) If the judgment creditor fails to file a satisfaction of
12 judgment under subsection (4) of this section, the judgment debtor may
13 at any time after satisfaction request in writing that the judgment
14 creditor file a satisfaction of judgment, specifying the court, case
15 number, and date of judgment. If the judgment creditor fails to comply
16 with the request within sixty days after receipt of the request, the
17 court, when convinced by proof that the judgment has been fully
18 satisfied, shall issue an order in writing, directing the clerk to
19 satisfy such judgment on the execution docket, and in its discretion
20 the court may award damages and reasonable attorneys' fees against the
21 judgment creditor for failure to file the satisfaction within the time
22 allowed."

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26 On page 1, line 1 of the title, after "judgments;" strike the
27 remainder of the title and insert "and amending RCW 4.56.100."

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