

HOUSE BILL REPORT

HB 2434

As Reported By House Committee On:
Judiciary

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

Brief Description: Expanding civil jurisdiction of district courts.

Sponsors: Representatives Carrell, Bush, Carlson and Pflug.

Brief History:

Committee Activity:

Judiciary: 1/27/00, 2/3/00 [DP].

Brief Summary of Bill

- Removes all dollar amount limitations on the jurisdiction of district courts over tort cases.
- Provides for appeal to the Washington Court of Appeals from tort decisions by the district courts.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 11 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

Staff: Bill Perry (786-7123).

Background:

Jurisdiction of the district courts is controlled by constitutional and statutory provisions. The constitution gives the superior courts exclusive jurisdiction over some matters, such as actions affecting the title of real property and felony crimes, but generally allows the Legislature to set the jurisdiction of the district courts.

Superior and district courts have concurrent jurisdiction over many kinds of civil cases. For these kinds of cases parties may choose which court to use.

Current law enumerates several classes of cases that may be heard in district court. One such class of cases includes "damages for injuries to the person" and other tort actions. Tort cases in district court, as well as other enumerated cases in district court, are limited to those cases in which a claim or the amount in controversy does not exceed \$35,000.

The state constitution provides that the appellate jurisdiction of the superior courts is to be "as prescribed by law." By court rule, appeals from decisions of the district courts are to the superior courts. The state constitution also allows the appellate jurisdiction of the court of appeals to be set by statute, or by court rules that are authorized by statute.

Summary of Bill:

The \$35,000 limit on tort cases that may be heard in district court is removed.

Appeals of district court decisions in tort cases are to the Washington Court of Appeals.

Appropriation: None.

Fiscal Note: Requested on January 19, 2000.

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

Testimony For: This bill is a serious attempt at addressing the issue of court efficiency. It will relieve some of the burden on the congested superior courts.

Testimony Against: None.

Testified: (In support) Representative Carrell, prime sponsor.

(Comments) Chuck Foster, Board for Judicial Administration.