

HOUSE BILL REPORT

HB 2773

As Reported By House Committee On:

Judiciary

Title: An act relating to enforcement of court-ordered financial obligations.

Brief Description: Providing for enforcement of court ordered financial obligations.

Sponsors: Representatives Constantine, Hurst and Lambert.

Brief History:

Committee Activity:

Judiciary: 2/3/00 [DP].

Brief Summary of Bill

- Makes court-ordered financial obligations from courts of limited jurisdiction in criminal cases enforceable as civil judgments.
- Sets the jurisdiction for enforcement at 10 years, extendable by 10 years.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

Staff: Mark Friendshuh (786-7291); Trudes Hutcheson (786-7384).

Background:

When a court of limited jurisdiction orders an offender to pay fines, expenses, restitution, or other moneys, only the fines are enforceable as a judgment. A court-ordered financial obligation to a third party, such as restitution, is not enforceable in the same manner as a civil judgment unless it is converted to a civil judgment.

Legal financial obligations from superior courts in criminal cases may be enforced in the same manner as civil judgments. The superior court is given jurisdiction over enforcement of the legal financial obligation for 10 years, and the court may extend that jurisdiction for an additional 10 years.

Summary of Bill:

In courts of limited jurisdiction, court-ordered financial obligations may be enforced in the same manner as civil judgments by the party to whom the money is owed.

Court-ordered financial obligations are enforceable for 10 years following the offender's release from confinement. The court may, before the period lapses, extend the enforcement period 10 additional years.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill would allow the courts of limited jurisdiction to use the same tools available to the superior court for enforcement of court-ordered financial obligations, including third-party restitution. It would help enforcement.

Testimony Against: None.

Testified: Judge Peter Lukevich, District and Municipal Court Judges Association.