

SENATE BILL REPORT

SB 5471

As of January 30, 2001

Title: An act relating to small claims collection cost recovery.

Brief Description: Authorizing recovery of additional small claims collection costs.

Sponsors: Senators Johnson, Long and Constantine; by request of Administrator for the Courts.

Brief History:

Committee Activity: Judiciary: 2/8/01.

SENATE COMMITTEE ON JUDICIARY

Staff: Dick Armstrong (786-7460)

Background: Small claims court is a department of the district court. The small claims department has jurisdiction over cases for the recovery of money where the amount claimed does not exceed \$2,500. An action is commenced in the small claims department by filing a claim that contains specified information and paying a filing fee.

The proceedings in the small claims department are informal. The parties may offer evidence and bring witnesses. The judge may consult witnesses and investigate the controversy between the parties, and the judge may give judgment or make orders that the judge finds equitable.

If the losing party fails to pay the judgment within 30 days, the judgment is to be increased by the cost to certify the judgment (\$5) and the \$12 filing fee.

The Board for Judicial Administration is recommending that additional incentives be given to a party that is attempting to collect a judgment that has not been paid in a timely manner.

Summary of Bill: In addition to existing fees, a court may award a reasonable collection fee of up to \$300 for work performed to enforce a small claims court judgment that has not been paid in a timely manner.

Appropriation: None.

Fiscal Note: Not requested.

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