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SENATE BILL 5827

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State of Washington

57th Legislature

2001 Regular Session

By Senator McCaslin

Read first time 02/05/2001. Referred to Committee on Judiciary.

1 AN ACT Relating to enforcement of judgments; and amending RCW  
2 6.17.020.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 6.17.020 and 1997 c 121 s 1 are each amended to read  
5 as follows:

6 (1) Except as provided in subsections (2), (3), and (4) of this  
7 section, the party in whose favor a judgment of a court (~~of record of~~  
8 ~~this state or a district court of this state~~) has been or may be filed  
9 or rendered, or the assignee or the current holder thereof, may have an  
10 execution, garnishment, or other legal process issued for the  
11 collection or enforcement of the judgment at any time within ten years  
12 from entry of the judgment or the filing of the judgment in this state.

13 (2) After July 23, 1989, a party who obtains a judgment or order of  
14 a court (~~of record of any state,~~) or an administrative order entered  
15 as defined in RCW 74.20A.020(6) for accrued child support, or the  
16 assignee or the current holder thereof, may have an execution,  
17 garnishment, or other legal process issued upon that judgment or order  
18 at any time within ten years of the eighteenth birthday of the youngest  
19 child named in the order for whom support is ordered.

1 (3) After June 9, 1994, a party in whose favor a judgment has been  
2 filed or rendered pursuant to subsection (1) or (4) of this section, or  
3 the assignee or the current holder thereof, may, within ninety days  
4 before the expiration of the original ten-year period, apply to the  
5 court that rendered the judgment or to the court where the judgment was  
6 filed for an order granting an additional ten years during which an  
7 execution, garnishment, or other legal process may be issued. If a  
8 district court judgment of this state is transcribed to a superior  
9 court of this state, the original district court judgment shall not  
10 have to be extended and any petition under this section to extend the  
11 judgment that has been transcribed to superior court shall be filed in  
12 the superior court within ninety days before the expiration of the ten-  
13 year period of the date the transcript of the district court judgment  
14 was filed in the superior court of this state. The petitioner shall  
15 pay to the court a filing fee equal to the filing fee for filing the  
16 first or initial paper in a civil action in the court, except in the  
17 case of district court judgments transcribed to superior court, where  
18 the filing fee shall be the fee for filing the first or initial paper  
19 in a civil action in the superior court where the judgment was  
20 transcribed. When application is made to the court to grant an  
21 additional ten years, the application and order shall be accompanied by  
22 a current and updated judgment summary as outlined in RCW 4.64.030.  
23 The filing fee required under this subsection shall be included in the  
24 judgment summary and shall be a recoverable cost.

25 (4) A party who obtains a judgment or order for restitution, crime  
26 victims' assessment, or other court-ordered legal financial obligations  
27 pursuant to a criminal judgment and sentence, or the assignee or the  
28 current holder thereof, may execute, garnish, and/or have legal process  
29 issued upon the judgment or order any time within ten years subsequent  
30 to the entry of the judgment and sentence or ten years following the  
31 offender's release from total confinement as provided in chapter 9.94A  
32 RCW. The clerk of superior court may seek extension under subsection  
33 (3) of this section for purposes of collection as allowed under RCW  
34 36.18.190.

35 (5) "Court" as used in this section includes but is not limited to  
36 the United States supreme court, the United States courts of appeals,  
37 the United States district courts, the United States bankruptcy courts,  
38 the Washington state supreme court, the court of appeals of the state  
39 of Washington, superior courts and district courts of the counties of

1 the state of Washington, and foreign judgments from other states and  
2 jurisdictions that have been filed in this state under chapters 6.36  
3 and 6.40 RCW.

4 (6) The perfection of any judgment lien and the priority of that  
5 judgment lien on property as established by RCW 6.13.090 and 4.56.200  
6 is not altered by the extension of the judgment pursuant to the  
7 provisions of this section and the lien remains in full force and  
8 effect and does not have to be rerecorded after it is extended.

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