
SENATE BILL 6401

State of Washington 57th Legislature

2002 Regular Session

By Senators Kline, Costa, Long, Fairley, Thibaudeau and Kohl-Welles

Read first time 01/16/2002. Referred to Committee on Judiciary.

1 AN ACT Relating to standardizing references to county clerks; and
2 amending RCW 36.23.030, 6.32.350, and 59.28.040.

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

4 **Sec. 1.** RCW 36.23.030 and 1987 c 363 s 3 are each amended to read
5 as follows:

6 The clerk of the superior court at the expense of the county shall
7 keep the following records:

8 (1) A record in which he or she shall enter all appearances and the
9 time of filing all pleadings in any cause;

10 (2) A docket in which before every session, he or she shall enter
11 the titles of all causes pending before the court at that session in
12 the order in which they were commenced, beginning with criminal cases,
13 noting in separate columns the names of the attorneys, the character of
14 the action, the pleadings on which it stands at the commencement of the
15 session. One copy of this docket shall be furnished for the use of the
16 court and another for the use of the members of the bar;

17 (3) A record for each session in which he or she shall enter the
18 names of witnesses and jurors, with time of attendance, distance of

1 travel, and whatever else is necessary to enable him or her to make out
2 a complete cost bill;

3 (4) A record in which he or she shall record the daily proceedings
4 of the court, and enter all verdicts, orders, judgments, and decisions
5 thereof, which may, as provided by local court rule, be signed by the
6 judge; but the court shall have full control of all entries in ~~((said))~~
7 the record at any time during the session in which they were made;

8 (5) An execution docket and also one for a final record in which he
9 or she shall make a full and perfect record of all criminal cases in
10 which a final judgment is rendered, and all civil cases in which by any
11 order or final judgment the title to real estate, or any interest
12 therein, is in any way affected, and such other final judgments,
13 orders, or decisions as the court may require;

14 (6) A ~~((journal))~~ record in which shall be entered all orders,
15 decrees, and judgments made by the court and the minutes of the court
16 in probate proceedings;

17 (7) A record of wills and bonds shall be maintained. Originals
18 shall be placed in the original file and shall be preserved or
19 duplicated pursuant to RCW 36.23.065;

20 (8) A record of letters testamentary, administration, and
21 guardianship in which all letters testamentary, administration, and
22 guardianship shall be recorded;

23 (9) A record of claims shall be entered in the appearance docket
24 under the title of each estate or case, stating the name of each
25 claimant, the amount of his or her claim and the date of filing of
26 such;

27 (10) A memorandum of the files, in which at least one page shall be
28 given to each estate or case, wherein shall be noted each paper filed
29 in the case, and the date of filing each paper;

30 (11) Such other records as are prescribed by law and required in
31 the discharge of the duties of his or her office.

32 **Sec. 2.** RCW 6.32.350 and 1893 c 133 s 34 are each amended to read
33 as follows:

34 Each county clerk must keep in his or her office ~~((a book))~~ records
35 indexed to the names of the judgment debtors, styled "~~((book))~~ records
36 of orders appointing receivers of judgment debtors." A county clerk in
37 whose office an order or a certified copy of an order is filed, as
38 prescribed in this chapter, must immediately note thereupon the time of

1 filing it, and as soon as practicable, must record it in the ((book))
2 records so kept by him or her. He or she must also, upon request,
3 furnish forthwith to any party or person interested, one or more
4 certified copies thereof. For each omission to comply with any
5 provision of this section, a county clerk forfeits to the party
6 aggrieved two hundred and fifty dollars, in addition to all damages
7 sustained by reason of the omission.

8 **Sec. 3.** RCW 59.28.040 and 2000 c 255 s 3 are each amended to read
9 as follows:

10 Except as provided in RCW 59.28.030, all owners of federally
11 assisted housing shall, at least twelve months before the expiration of
12 the rental assistance contract or prepayment of a mortgage or loan,
13 serve a written notice of the anticipated expiration or prepayment date
14 on each tenant household residing in the housing, on the clerk of the
15 city, or clerk of the county legislative authority if in an
16 unincorporated area, in which the property is located, on any public
17 housing agency that would be responsible for administering tenant-based
18 rental assistance to persons who would otherwise be displaced from this
19 housing, and on the department of community, trade, and economic
20 development, by regular and certified mail. All owners of federally
21 assisted housing shall also serve written notice of the anticipated
22 expiration or prepayment date on each tenant household that moves into
23 the housing after the initial notice has been given, but before the
24 expiration of the rental assistance contract or prepayment of the
25 mortgage or loan. This notice shall be given before a new tenant is
26 asked to execute a rental agreement or required to pay any deposits.

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