

SENATE BILL REPORT

SB 5762

As Reported By Senate Committee On:
Judiciary, February 28, 2003

Title: An act relating to failure to pay small claims judgments.

Brief Description: Increasing small claims judgments upon failure to pay.

Sponsors: Senators Sheahan, Eide and Esser.

Brief History:

Committee Activity: Judiciary: 2/21/03, 2/28/03 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Haugen, Johnson, Kline, Roach and Thibaudeau.

Staff: Jinnah Rose-McFadden (786-7421)

Background: Small claims courts have jurisdiction over claims totaling \$4,000 or less. Generally, parties to an action in small claims court may not hire or use attorneys or professional legal help in adjudicating their claim. If a monetary judgment is entered, it is the debtor's responsibility to pay the judgment upon such terms as the judge subscribes. If the debtor fails to pay the judgment within the period ordered by the court, the prevailing party may take additional steps to certify the judgment and seek garnishment. Fees incurred in certifying the judgment are added to the debtor's outstanding balance owed.

Summary of Bill: The law is amended to allow a party that has prevailed in an action in small claims court, to recover additional costs, including attorney fees, incurred by enforcing an outstanding judgment.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: None.

Testimony Against: None.

Testified: No one.