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## Judiciary Committee

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### HB 1348

**Title:** An act relating to jurisdiction over judgments.

**Brief Description:** Providing a uniform method of transferring a municipal court judgment into district court.

**Sponsors:** Representatives Williams, Newhouse and Lantz.

Brief Summary of Bill
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| <ul style="list-style-type: none"><li>• Grants district courts jurisdiction to civilly enforce money judgments from municipal courts and municipal departments.</li></ul> |
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**Hearing Date:** 2/1/05

**Staff:** Trudes Tango Hutcheson (786-7384).

**Background:**

Municipal courts and municipal departments within district courts have jurisdiction to process civil and criminal violations of city ordinances that could result in monetary fines. The statutes governing municipal courts and municipal departments do not provide those courts with jurisdiction over civil judgment enforcement proceedings, such as garnishment or attachment.

District courts have jurisdiction over misdemeanors and gross misdemeanors and over civil actions where the amount at issue is not more than \$50,000. District courts generally have the same powers as superior courts to enforce money judgments. For instance, district and superior courts can use garnishment and attachment to enforce judgments. However, district courts do not have authority to issue liens on real property.

District courts may transfer judgments to superior court by filing a certified transcript of the judgment with the superior court. The court clerk enters the district court judgment in the same manner as superior court judgments. Although jurisdiction over the judgment transfers to the superior court, the court has the option of sending it back to district court to determine motions to vacate or modify the judgment.

**Summary of Bill:**

District courts are granted jurisdiction over proceedings to civilly enforce money judgments from municipal court or a municipal department of a district court. The proceeding may be brought in the district in which the municipal court or municipal department is located. The district court

may not vacate or amend the judgment. The fee for filing the abstract of judgement or transcript of judgment in district court is \$31.

**Appropriation:** None.

**Fiscal Note:** Requested on January 25, 2005.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.