
SENATE BILL 5353

State of Washington 59th Legislature 2005 Regular Session

By Senators Esser and Benson

Read first time 01/21/2005. Referred to Committee on Judiciary.

1 AN ACT Relating to jurisdiction over judgments; and amending RCW
2 3.66.020, 3.66.040, 3.62.060, and 12.04.130.

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

4 **Sec. 1.** RCW 3.66.020 and 2003 c 27 s 1 are each amended to read as
5 follows:

6 If the value of the claim or the amount at issue does not exceed
7 fifty thousand dollars, exclusive of interest, costs, and attorneys'
8 fees, the district court shall have jurisdiction and cognizance of the
9 following civil actions and proceedings:

- 10 (1) Actions arising on contract for the recovery of money;
- 11 (2) Actions for damages for injuries to the person, or for taking
12 or detaining personal property, or for injuring personal property, or
13 for an injury to real property when no issue raised by the answer
14 involves the plaintiff's title to or possession of the same and actions
15 to recover the possession of personal property;
- 16 (3) Actions for a penalty;
- 17 (4) Actions upon a bond conditioned for the payment of money, when
18 the amount claimed does not exceed fifty thousand dollars, though the

1 penalty of the bond exceeds that sum, the judgment to be given for the
2 sum actually due, not exceeding the amount claimed in the complaint;

3 (5) Actions on an undertaking or surety bond taken by the court;

4 (6) Actions for damages for fraud in the sale, purchase, or
5 exchange of personal property;

6 (7) Proceedings to take and enter judgment on confession of a
7 defendant;

8 (8) Proceedings to issue writs of attachment, garnishment and
9 replevin upon goods, chattels, moneys, and effects;

10 (9) ~~((All other actions and proceedings of which jurisdiction is
11 specially conferred by statute, when the title to, or right of
12 possession of real property is not involved; and~~

13 ~~(+10+))~~ Actions arising under the provisions of chapter 19.190 RCW;

14 (10) Proceedings to civilly enforce any money judgment entered in
15 any municipal court or municipal department of a district court
16 organized under the laws of this state; and

17 (11) All other actions and proceedings of which jurisdiction is
18 specially conferred by statute, when the title to, or right of
19 possession of, real property is not involved.

20 **Sec. 2.** RCW 3.66.040 and 2003 c 27 s 2 are each amended to read as
21 follows:

22 (1) An action arising under RCW 3.66.020 (1), (4), (6), and (7) ~~((7~~
23 ~~and (9+))~~) may be brought in any district in which the defendant, or, if
24 there be more than one defendant, where some one of the defendants,
25 resides at the time the complaint is filed or in which the defendant,
26 or if there be more than one defendant, where some one of the
27 defendants may be served with the notice and complaint in which latter
28 case, however, the district where the defendant or defendants is or are
29 served must be within the county in which the defendant or defendants
30 reside. If the residence of the defendant is not ascertained by
31 reasonable efforts, the action may be brought in the district in which
32 the defendant's place of actual physical employment is located.

33 (2) An action arising under RCW 3.66.020(2) for the recovery of
34 possession of personal property and RCW 3.66.020(8) shall be brought in
35 the district in which the subject matter of the action or some part
36 thereof is situated.

1 (3) An action arising under RCW 3.66.020 (3) and (5) shall be
2 brought in the district in which the cause of action, or some part
3 thereof arose.

4 (4) An action arising under RCW 3.66.020(2) for the recovery of
5 damages for injuries to the person or for injury to personal property
6 may be brought, at the plaintiff's option, either in the district in
7 which the cause of action, or some part thereof, arose, or in the
8 district in which the defendant, or, if there be more than one
9 defendant, where some one of the defendants, resides at the time the
10 complaint is filed.

11 (5) A proceeding under RCW 3.66.020(10) may be brought in the
12 district within which the municipal court or municipal department is
13 located.

14 (6) An action against a nonresident of this state, including an
15 action arising under the provisions of chapter 19.190 RCW, may be
16 brought in any district where service of process may be had, or in
17 which the cause of action or some part thereof arose, or in which the
18 plaintiff or one of them resides.

19 ((+6)) (7) An action upon the unlawful issuance of a check or
20 draft may be brought in any district in which the defendant resides or
21 may be brought in any district in which the check was issued or
22 presented as payment.

23 ((+7)) (8) For the purposes of chapters 3.30 through 3.74 RCW, the
24 residence of a corporation defendant shall be deemed to be in any
25 district where the corporation transacts business or has an office for
26 the transaction of business or transacted business at the time the
27 cause of action arose or where any person resides upon whom process may
28 be served upon the corporation, unless herein otherwise provided.

29 **Sec. 3.** RCW 3.62.060 and 2003 c 222 s 15 are each amended to read
30 as follows:

31 Clerks of the district courts shall collect the following fees for
32 their official services:

33 (1) In any civil action commenced before or transferred to a
34 district court, the plaintiff shall, at the time of such commencement
35 or transfer, pay to such court a filing fee of thirty-one dollars plus
36 any surcharge authorized by RCW 7.75.035. No party shall be compelled

1 to pay to the court any other fees or charges up to and including the
2 rendition of judgment in the action other than those listed.

3 (2) For issuing a writ of garnishment or other writ, or for filing
4 an attorney issued writ of garnishment, a fee of six dollars.

5 (3) For filing a supplemental proceeding a fee of twelve dollars.

6 (4) For demanding a jury in a civil case a fee of fifty dollars to
7 be paid by the person demanding a jury.

8 (5) For preparing a transcript of a judgment a fee of six dollars.

9 (6) For certifying any document on file or of record in the clerk's
10 office a fee of five dollars.

11 (7) For preparing the record of a case for appeal to superior court
12 a fee of forty dollars including any costs of tape duplication as
13 governed by the rules of appeal for courts of limited jurisdiction
14 (RALJ).

15 (8) For duplication of part or all of the electronic tape or tapes
16 of a proceeding ten dollars per tape.

17 (9) For filing any abstract of judgment or transcript of judgment
18 from a municipal court or municipal department of a district court
19 organized under the laws of this state a fee of thirty-one dollars.

20 The fees or charges imposed under this section shall be allowed as
21 court costs whenever a judgment for costs is awarded.

22 **Sec. 4.** RCW 12.04.130 and Code 1881 s 1723 are each amended to
23 read as follows:

24 The court shall be deemed to have obtained possession of the case
25 from the time the complaint or claim is filed, after completion of
26 service, whether by publication or otherwise, and shall have control of
27 all subsequent proceedings. In the case of proceedings to civilly
28 enforce a money judgment entered in a municipal court or municipal
29 department of a district court organized under the laws of this state,
30 the court shall have jurisdiction over the proceedings from the time of
31 filing an abstract or transcript of judgment; upon which filing the
32 municipal judgment shall be recognized as a judgment of the court,
33 provided that the court shall not have authority to vacate or amend the
34 underlying municipal judgment.

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