

HOUSE BILL REPORT

SHB 1144

As Passed House:
January 29, 2007

Title: An act relating to jurisdiction over judgments.

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

Sponsors: By House Committee on Judiciary (originally sponsored by Representatives Williams, Warnick, Rodne, Campbell, O'Brien, Lantz, Goodman and Moeller).

Brief History:

Committee Activity:

Judiciary: 1/23/07 [DPS].

Floor Activity:

Passed House: 1/29/07, 97-0.

Brief Summary of Substitute Bill

- Grants district courts jurisdiction to civilly enforce money judgments from municipal courts and municipal departments.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Lantz, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Warnick, Assistant Ranking Minority Member; Ahern, Flannigan, Kirby, Moeller, Pedersen, Ross and Williams.

Staff: Trudes Tango (786-7384).

Background:

Municipal courts and municipal departments within district courts have jurisdiction to process civil and criminal violations of city ordinances, many of which can result in monetary penalties. Municipal courts and municipal departments do not have jurisdiction to issue orders of attachment and garnishment, which can be used to enforce monetary judgments.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Municipal courts and municipal departments often assign unpaid money judgments to collection agencies.

District courts have jurisdiction over civil actions where the amount at issue is not more than \$50,000. District courts can use garnishment and attachment to enforce judgments. They do not have authority to issue liens on real property.

The filing fee for civil actions in district court is \$43.

Summary of Substitute Bill:

District courts are granted jurisdiction over proceedings to civilly enforce any money judgment from a municipal court or municipal department of a district court. The proceeding may be brought in the district where the municipal court or municipal department is located. Once transferred, the municipal judgment is recognized as a judgment of the district court. The district court may not vacate or amend the judgment. The district court filing fee to transfer the judgment is \$43.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This is identical to the bill that passed the House last year with no opposition. The \$31 filing fee should be \$43, which is the actual filing fee charged for civil actions in district courts. The bill should be updated to reflect the current filing fee.

(Opposed) None.

Persons Testifying: Kevin Underwood, Washington Collector's Association.

Persons Signed In To Testify But Not Testifying: None.