

SENATE BILL REPORT

SB 6210

As of January 19, 2012

Title: An act relating to extending the time to enforce civil judgments.

Brief Description: Extending the time to enforce civil judgments.

Sponsors: Senators Hobbs and Kline.

Brief History:

Committee Activity: Judiciary: 1/18/12.

SENATE COMMITTEE ON JUDICIARY

Staff: Juliana Roe (786-7438)

Background: Civil judgments expire ten years from the date of entry. A party that has been awarded a judgment, or the assignee or current holder of the judgment award, may apply for an extension to the court in which the judgment was rendered within 90 days of expiration of the original ten-year period. The extension gives the party or assignee or current holder an additional ten years during which an execution, garnishment, or other legal process may be issued. Applications are granted as a matter of right, subject to review only for timeliness, factual issues of full or partial satisfaction, or errors in calculating the judgment summary amount. With some limited exceptions, no judgment is enforceable for a period exceeding 20 years from the original date of entry.

Summary of Bill: A party who has been awarded a judgment, or the assignee or current holder of the judgment award, but for those judgments resulting from a breach of contract, may apply for an additional ten-year extension to the court in which the judgment was rendered within 90 days of expiration of the second ten-year period. The extension gives the party or assignee or current holder an additional ten years during which an execution, garnishment, or other legal process may be issued. Applications are granted as a matter of right, subject to review only for timeliness, factual issues of full or partial satisfaction, or errors in calculating the judgment summary amount.

Venue is proper in the court that rendered the judgment or, if a foreign judgment, the court in which the foreign judgment was filed. The petitioner must pay a filing fee equal to the filing fee for initial filing for a civil action in the court. However, this fee is included in the judgment summary and is a recoverable cost.

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.

Appropriation: None.

Fiscal Note: Requested on January 16, 2012.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: The original version of this bill limited the extension of judgments to alcohol-related judgments. This version expands it to all civil judgments, but for breaches of contract. People who obtain judgments in their favor should be able to have time to collect those judgments, especially from those persons who are secreting or fraudulently getting rid of property.

Persons Testifying: PRO: Senator Hobbs, prime sponsor; Judith Thompson, citizen.