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HOUSE BILL 1446

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State of Washington                      63rd Legislature                      2013 Regular Session

By Representatives Kirby, Nealey, and Goodman

Read first time 01/28/13. Referred to Committee on Judiciary.

1            AN ACT Relating to judicial proceedings and forms; and amending RCW  
2            2.36.095, 11.96A.090, and 26.26.610.

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

4            **Sec. 1.** RCW 2.36.095 and 1993 c 408 s 8 are each amended to read  
5            as follows:

6            (1) Persons selected to serve on a petit jury, grand jury, or jury  
7            of inquest shall be summoned by mail or personal service. The county  
8            clerk shall issue summons and thereby notify persons selected for jury  
9            duty. The clerk may issue summons for any jury term, in any  
10           consecutive twelve-month period, at any time thirty days or more before  
11           the beginning of the jury term for which the summons are issued.  
12           However, when applicable, the provisions of RCW 2.36.130 apply.

13           (2) In courts of limited jurisdiction summons shall be issued by  
14           the court. Upon the agreement of the courts, the county clerk may  
15           summon jurors for any and all courts in the county or judicial  
16           district.

17           ~~((3) The county clerk shall notify the county auditor of each  
18           summons for jury duty that is returned by the postal service as  
19           undeliverable.))~~

1           **Sec. 2.** RCW 11.96A.090 and 1999 c 42 s 302 are each amended to  
2 read as follows:

3           (1) A judicial proceeding under this title is a special proceeding  
4 under the civil rules of court. The provisions of this title governing  
5 such actions control over any inconsistent provision of the civil  
6 rules.

7           (2) A judicial proceeding under this title (~~(may)~~) must be  
8 commenced as a new action (~~(or as an action incidental to an existing~~  
9 ~~judicial proceeding relating to the same trust or estate or nonprobate~~  
10 ~~asset)~~).

11           (3) Once commenced, the action may be consolidated with an existing  
12 proceeding (~~(or converted to a separate action)~~) upon the motion of a  
13 party for good cause shown, or by the court on its own motion.

14           (4) The procedural rules of court apply to judicial proceedings  
15 under this title only to the extent that they are consistent with this  
16 title, unless otherwise provided by statute or ordered by the court  
17 under RCW 11.96A.020 or 11.96A.050, or other applicable rules of court.

18           **Sec. 3.** RCW 26.26.610 and 2002 c 302 s 533 are each amended to  
19 read as follows:

20           (1) On request of a party and for good cause shown, the court may  
21 close a proceeding under this section and RCW 26.26.500 through  
22 26.26.605 and 26.26.615 through 26.26.630.

23           (2) A final order and all subsequent documents or pleadings in a  
24 proceeding under this section and RCW 26.26.500 through 26.26.605 and  
25 26.26.615 through 26.26.630 (~~(is)~~) are available for public inspection.  
26 Other papers and records are available only with the consent of the  
27 parties or on order of the court for good cause.

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