

SENATE BILL REPORT

SB 6526

As Reported By Senate Committee On:
Judiciary, February 5, 2004

Title: An act relating to jurisdiction over judgments.

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

Sponsors: Senators Esser, Berkey, Johnson and Sheahan.

Brief History:

Committee Activity: Judiciary: 2/4/04, 2/5/04 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Haugen, Johnson, Kline and Roach.

Staff: Jinnah Rose-McFadden (786-7421)

Background: Municipal courts and departments impose money judgments for fines, civil infractions, and costs assessed in criminal misdemeanor cases. However, municipal courts and departments do not have jurisdiction over civil judgment enforcement proceedings, such as garnishments. Only district and superior courts have jurisdiction over civil judgment enforcement proceedings. As a result, municipalities often assign unpaid money judgments to collection agencies. Collection agencies, then, file these judgments in district court for garnishment or other enforcement proceedings.

Currently, each district court treats municipal judgments differently. There is no statutory procedure identifying a uniform method of transferring a municipal court judgment into district court.

Summary of Bill: A uniform method of transferring municipal court judgments into district courts is set forth. District courts are authorized to enforce money judgments entered in any municipal court or department. Such a proceeding may be brought in the district within which the municipal court or department is located. The filing fee to enforce a money judgment is set at \$31.

District courts do not have the authority to vacate or amend money judgments entered in municipal courts and departments.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: It is helpful to have a statewide uniform standard for transferring municipal court judgments into district courts. In reality, this bill simply codifies existing practice. In general, court filing fees are set by statute. The current fee for filing a new claim in district court is \$31. This bill simply incorporates the current law.

Testimony Against: None.

Testified: PRO: Kevin Underwood, Washington Collections Association.