

**Chapter 9.62 RCW**  
**MALICIOUS PROSECUTION—ABUSE OF PROCESS**

**Sections**

- 9.62.010 Malicious prosecution.  
9.62.020 Instituting suit in name of another.

**RCW 9.62.010 Malicious prosecution.** Every person who shall, maliciously and without probable cause therefor, cause or attempt to cause another to be arrested or proceeded against for any crime of which he or she is innocent:

(1) If such crime be a felony, is guilty of a class C felony and shall be punished by imprisonment in a state correctional facility for not more than five years; and

(2) If such crime be a gross misdemeanor or misdemeanor, shall be guilty of a misdemeanor. [2003 c 53 s 40; 1992 c 7 s 15; 1909 c 249 s 117; Code 1881 s 899; 1873 p 203 s 98; 1854 p 92 s 89; RRS s 2369.]

**Intent—Effective date—2003 c 53:** See notes following RCW 2.48.180.

**RCW 9.62.020 Instituting suit in name of another.** Every person who shall institute or prosecute any action or other proceeding in the name of another, without his or her consent and contrary to law, shall be guilty of a gross misdemeanor. [2011 c 336 s 317; 1909 c 249 s 124; RRS s 2376.]