

**Chapter 36.24 RCW
COUNTY CORONER**

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RCW 36.24.010 To act as sheriff under certain conditions. The coroner shall perform the duties of the sheriff in all cases where the sheriff is interested or otherwise incapacitated from serving; and whenever the coroner acts as sheriff he or she shall possess the powers and perform all the duties of sheriff, and shall be liable on his or her official bond in like manner as the sheriff would be, and shall be entitled to the same fees as are allowed by law to the sheriff for similar services: PROVIDED, That nothing herein contained shall prevent the court from appointing a suitable person to discharge such duties, as provided by RCW 36.28.090. [2009 c 549 s 4031; 1963 c 4 s 36.24.010. Prior: 1897 c 21 s 1; Code 1881 s 2776; 1863 p 559 s 2; 1854 p 436 s 2; RRS s 4180.]

RCW 36.24.020 Inquests—Jury—Venue—Payment of costs. Any coroner, in his or her discretion, may hold an inquest if the coroner suspects that the death of a person was unnatural, or violent, or resulted from unlawful means, or from suspicious circumstances, or was of such a nature as to indicate the possibility of death by the hand of the deceased or through the instrumentality of some other person: PROVIDED, That, except under suspicious circumstances, no inquest shall be held following a traffic death.

The coroner in the county where an inquest is to be convened pursuant to this chapter shall notify the superior court to provide persons to serve as a jury of inquest to hear all the evidence concerning the death and to inquire into and render a true verdict on the cause of death. Jurors shall be selected and summoned in the same manner and shall have the same qualifications as specified in chapter 2.36 RCW.

At the coroner's request, the superior court shall schedule a courtroom in which the inquest may be convened, a bailiff, reporter, and any security deemed reasonably necessary by the coroner. The coroner and the superior court shall set an inquest date by mutual agreement. The inquest shall take place within eighteen months of the coroner's request to the court. If the superior court cannot accommodate the inquest for good cause shown, the court may designate a comparable public venue for the inquest in the county.

If the superior court is unable to provide a courtroom or comparable public venue, it shall certify courtroom unavailability in writing within sixty days of the coroner's request and the inquest shall be scheduled and transferred to another county within one hundred miles of the requesting county.

The prosecuting attorney having jurisdiction shall be notified in advance of any such inquest to be held, and at his or her discretion may be present at and assist the coroner in the conduct of the same. The coroner may adjourn the inquest from time to time as he or she may deem necessary.

The costs of inquests, including any costs incurred by the superior court, shall be borne by the county in which the inquest is requested. When an inquest is transferred to another county due to

unavailability of a courtroom, the county from which such inquest is transferred shall pay the county in which the inquest is held all costs accrued for per diem and mileage for jurors and witnesses and all other costs properly charged to the transferring county. [2016 c 13 s 1; 2009 c 549 s 4032; 1988 c 188 s 18; 1963 c 4 s 36.24.020. Prior: 1953 c 188 s 3; Code 1881 s 2777; 1863 p 560 s 3; 1854 p 436 s 3; RRS s 4181.]

Legislative findings—Severability—Effective date—1988 c 188:

See notes following RCW 2.36.010.

RCW 36.24.030 Penalty for nonattendance of juror. Every person summoned as a juror who fails to appear without having a reasonable excuse shall forfeit a sum not exceeding twenty dollars, to be recovered by the coroner, in the name of the state, before any district judge of the county. The penalty when collected shall be paid over to the county treasurer for the use of the county. [1987 c 202 s 202; 1963 c 4 s 36.24.030. Prior: Code 1881 s 2778; 1863 p 560 s 4; 1854 p 436 s 4; RRS s 4182.]

Intent—1987 c 202: See note following RCW 2.04.190.

RCW 36.24.040 Duty of coroner's jury—Oath. When four or more of the jurors attend, they shall be sworn by the coroner to inquire who the person was, and when, where, and by what means he or she came to his or her death, and into the circumstances attending his or her death, and to render a true verdict therein, according to the evidence afforded them, or arising from the inspection of the body. [2009 c 549 s 4033; 1963 c 4 s 36.24.040. Prior: Code 1881 s 2779; 1863 p 560 s 5; 1854 p 436 s 5; RRS s 4183.]

RCW 36.24.050 Power to summon witnesses—Subpoenas. The coroner may issue subpoenas for witnesses returnable forthwith or at such time and place as the coroner may appoint, which may be served by any competent person. The coroner must summon and examine as witnesses, on oath administered by the coroner, every person, who, in his or her opinion or that of any of the jury, has any knowledge of the facts. A witness served with a subpoena may be compelled to attend and testify, or be punished by the coroner for disobedience, in like manner as upon a subpoena issued by a district judge. [1987 c 202 s 203; 1963 c 4 s 36.24.050. Prior: (i) 1901 c 131 s 1, part; Code 1881 s 2780, part; 1863 p 560 s 6, part; 1854 p 436 s 6, part; RRS s 4184, part. (ii) Code 1881 s 2781; 1863 p 560 s 7; 1854 p 437 s 7; RRS s 4186.]

Intent—1987 c 202: See note following RCW 2.04.190.

RCW 36.24.060 Power to employ physician or surgeon—Compensation. The coroner may summon a surgeon or physician to inspect the body and give under oath a professional opinion as to the cause of death. The fees for the coroner's physician or surgeon shall not be less than ten dollars. [1963 c 4 s 36.24.060. Prior: (i) 1901

c 131 s 1, part; Code 1881 s 2780, part; 1863 p 560 s 6, part; 1854 p 436 s 6, part; RRS s 4184, part.]

RCW 36.24.070 Verdict of jury. After hearing the testimony, the jury shall render its verdict and certify the same in writing signed by the jurors, and setting forth who the person killed is, if known, and when, where and by what means he or she came to his or her death; or if he or she was killed, or his or her death was occasioned by the act of another by criminal means, who is guilty thereof, if known. [2009 c 549 s 4034; 1963 c 4 s 36.24.070. Prior: 1953 c 188 s 4; Code 1881 s 2782; 1863 p 560 s 8; 1854 p 437 s 8; RRS s 4187.]

RCW 36.24.080 Testimony reduced to writing in certain cases and witnesses recognized. In all cases where murder or manslaughter is supposed to have been committed, the testimony of witnesses taken before the coroner's jury shall be reduced to writing by the coroner, or under his or her direction, and he or she shall also recognize such witnesses to appear and testify in the superior court of the county, and shall forthwith file the written testimony, inquisition, and recognizance with the clerk of such court. [2009 c 549 s 4035; 1963 c 4 s 36.24.080. Prior: Code 1881 s 2783; 1863 p 561 s 9; 1854 p 437 s 9; RRS s 4188.]

RCW 36.24.090 Procedure where accused is under arrest. If the person charged with the commission of the offense has been arrested before the inquisition has been filed, the coroner shall deliver the recognizance and the inquisition, with the testimony taken, to the magistrate before whom such person may be brought, who shall return the same, with the depositions and statements taken before him or her to the clerk of the superior court of the county. [2009 c 549 s 4036; 1963 c 4 s 36.24.090. Prior: Code 1881 s 2784; 1863 p 561 s 10; 1854 p 437 s 10; RRS s 4189.]

RCW 36.24.100 Procedure where accused is at large—Delivery of findings to the prosecuting attorney. If the jury finds that the person was killed and the party committing the homicide is ascertained by the inquisition, but is not in custody, the coroner must deliver the findings of the jury and all documents, testimony, records generated, possessed, or used during the inquest to the prosecuting attorney of the county where the inquest was held. [2016 c 186 s 1; 1963 c 4 s 36.24.100. Prior: Code 1881 s 2785; 1863 p 561 s 11; 1854 p 437 s 11; RRS s 4190.]

RCW 36.24.110 Form of warrant.

Reviser's note: RCW 36.24.110 was amended by 2016 c 202 s 29 without reference to its repeal by 2016 c 186 s 2. It has been decodified for publication purposes under RCW 1.12.025.

RCW 36.24.130 Property of deceased. The coroner or medical examiner must, within thirty days after the investigation of the

death, deliver to the county treasurer any money which may be found upon the body, unless claimed in the meantime by the legal representatives of the deceased. If there is personal property, other than money, found upon the body, unless claimed in the meantime by a legal representative of the deceased, the coroner or medical examiner shall, within one hundred eighty days of the investigation, be authorized to dispose of any property of no resale value and forward any other property to the applicable county agency to be sold at the next county surplus sale. Any proceeds from the sale shall be forwarded to the county treasurer. If the coroner or medical examiner fails to do so, the treasurer may proceed against the coroner or medical examiner to recover the same by a civil action in the name of the county. [2004 c 79 s 1; 1963 c 4 s 36.24.130. Prior: Code 1881 s 2789; 1863 p 562 s 15; 1854 p 438 s 15; RRS s 4194.]

RCW 36.24.140 Duty of treasurer. Upon the delivery of money to the treasurer, the treasurer shall place it to the credit of the county. [2004 c 79 s 2; 1963 c 4 s 36.24.140. Prior: Code 1881 s 2790; 1863 p 562 s 16; 1854 p 438 s 16; RRS s 4195.]

RCW 36.24.150 Delivery to representatives. If the money in the treasury is demanded within six years by the legal representatives of the deceased, the treasurer shall pay it to them after deducting the fees and expenses of the coroner and of the county in relation to the matter, or the same may be so paid at any time thereafter, upon the order of the board of county commissioners of the county. [1963 c 4 s 36.24.150. Prior: Code 1881 s 2791; 1863 p 562 s 17; 1854 p 438 s 17; RRS s 4196.]

RCW 36.24.155 Undisposed of remains—Entrusting to funeral homes or mortuaries—Indigenous persons remains. (1) Whenever anyone shall die within a county without making prior plans for the disposition of his or her body and there is no other person willing to provide for the disposition of the body, the county coroner shall cause such body to be entrusted to a funeral home in the county where the body is found. Except in counties where the county coroner or medical examiner has established a preferred funeral home using a qualified bidding process, disposition shall be on a rotation basis, which shall treat equally all funeral homes or mortuaries desiring to participate, such rotation to be established by the coroner after consultation with representatives of the funeral homes or mortuaries in the county or counties involved.

(2) (a) The county coroner, upon knowledge that a body is of an indigenous person, shall make reasonable efforts to identify and contact family members prior to entrusting the body to a funeral home, including an attempt to facilitate contact through the regional liaison for missing and murdered indigenous persons pursuant to RCW 43.43.874 within 10 days of the county coroner having jurisdiction over the remains.

(b) Upon the written request of a family member responsible for the disposition of the body of an indigenous person, the county coroner shall provide a written estimate of the time frame for entrusting the body to the family member or the family member's chosen

funeral home, unless doing so would jeopardize an ongoing criminal investigation. [2022 c 251 s 2; 2011 c 16 s 1; 2009 c 549 s 4038; 1969 ex.s. c 259 s 2.]

Human remains that have not been disposed: RCW 68.50.230.

RCW 36.24.160 District judge may act as coroner. If the office of coroner is vacant, or the coroner is absent or unable to attend, the duties of the coroner's office may be performed by any district judge in the county with the like authority and subject to the same obligations and penalties as the coroner. For such service a district judge shall be entitled to the same fees, payable in the same manner. [1987 c 202 s 204; 1963 c 4 s 36.24.160. Prior: (i) Code 1881 s 2793; 1863 p 562 s 19; 1854 p 438 s 19; RRS s 4198. (ii) Code 1881 s 2795; 1863 p 562 s 21; 1854 p 438 s 21; RRS s 4199.]

Intent—1987 c 202: See note following RCW 2.04.190.

RCW 36.24.170 Coroner not to practice law. The coroner shall not appear or practice as attorney in any court, except in defense of himself or herself or his or her deputies. [2009 c 549 s 4039; 1963 c 4 s 36.24.170. Prior: 1891 c 45 s 4, part; Code 1881 s 2770, part; 1863 p 558 s 5, part; 1854 p 434 s 5, part; RRS s 4171, part.]

RCW 36.24.175 Coroner not to be owner or employee of funeral home or mortuary—Counties with populations of forty thousand or more. In each county with a population of forty thousand or more, no person shall be qualified for the office of county coroner as provided for in RCW 36.16.030 who is an owner or employee of any funeral home or mortuary. [1991 c 363 s 54; 1969 ex.s. c 259 s 3.]

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

RCW 36.24.180 Audit of coroner's account. Before auditing and allowing the account of the coroner the board of county commissioners shall require from him or her a verified statement in writing, accounting for all money or other property found upon persons on whom inquests have been held by him or her, and that the money or property mentioned in it has been delivered to the legal representatives of the deceased, or to the county treasurer. [2009 c 549 s 4040; 1963 c 4 s 36.24.180. Prior: Code 1881 s 2792; 1863 p 562 s 18; 1854 p 438 s 18; RRS s 4197.]

RCW 36.24.190 Medical examiner—When authorized—Election—Qualifications for appointment. In a county with a population of two hundred fifty thousand or more, the county legislative authority may, upon majority vote at an election called by the county legislative authority, adopt a system under which a medical examiner may be appointed to replace the office of the coroner. The county legislative authority must adopt a resolution or ordinance that creates the office

of medical examiner at least thirty days prior to the first day of filing for the primary election for county offices. If a county adopts such a resolution or ordinance, the resolution or ordinance shall be referred to the voters for confirmation or rejection at the next date for a special election according to RCW 29A.04.321. If the resolution or ordinance is approved by majority vote, no election shall be held for the position of coroner and the coroner's position is abolished following the expiration of the coroner's term of office or upon vacating of the office of the coroner for any reason. The county legislative authority shall appoint a medical examiner to assume the statutory duties performed by the county coroner and the appointment shall become effective following the expiration of the coroner's term of office or upon the vacating of the office of the coroner. To be appointed as a medical examiner pursuant to this section, a person must either be: (1) Certified as a forensic pathologist by the American board of pathology; or (2) a qualified physician eligible to take the American board of pathology exam in forensic pathology within one year of being appointed. A physician specializing in pathology who is appointed to the position of medical examiner and who is not certified as a forensic pathologist must pass the pathology exam within three years of the appointment. [2006 c 344 s 27; 1996 c 108 s 2.]

Effective date—2006 c 344 ss 1-16 and 18-40: See note following RCW 29A.04.311.

RCW 36.24.200 Subpoena for production—Authority. In addition to any of its existing authorities, the coroner may, in the course of an active or ongoing death investigation, request that the superior court issue subpoenas for production of documents or other records and command each person to whom the subpoena is directed to produce and permit inspection and copying of documentary evidence or tangible things in the possession, custody, or control of that person at a specified time and place. A subpoena for production must substantively comply with the requirements of CR 45. A subpoena for production may be joined with a subpoena for testimony, or it may be issued separately. [2019 c 237 s 1.]

RCW 36.24.205 Medicolegal forensic investigation training required. Within 12 months of being elected or appointed to the office, a coroner or medical examiner must have a certificate of completion of medicolegal forensic investigation training that complies with the standards adopted for the medicolegal training academy adopted by the criminal justice training commission in conjunction with the Washington association of coroners and medical examiners and a practicing physician selected by the commission pursuant to RCW 43.101.480. This requirement does not apply to an elected prosecutor acting as the ex officio coroner in a county. All medicolegal investigative personnel employed by any coroner's or medical examiner's office must complete medicolegal forensic investigation training as required under RCW 43.101.480. A county in which the coroner or county medical examiner has not obtained such certification within 12 months of assuming office may have its

reimbursement from the death investigations account reduced as provided under RCW 68.50.104. [2021 c 127 s 1.]

RCW 36.24.210 Accreditation required. Except those run by a county prosecutor, all county coroner's offices and medical examiner's offices must be accredited by either the international association of coroners and medical examiners or the national association of medical examiners no later than July 1, 2025, and maintain continued accreditation thereafter. A county that contracts for its coroner or medical examiner services with an accredited coroner or medical examiner's office in another county does not need to maintain accreditation. [2021 c 127 s 2.]