
HOUSE BILL 1515

State of Washington 54th Legislature 1995 Regular Session

By Representatives Hickel, Appelwick and Padden

Read first time 01/27/95. Referred to Committee on Law & Justice.

1 AN ACT Relating to jurisdiction over judgments; and amending RCW
2 3.66.020, 3.66.040, 3.62.060, and 12.04.130.

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

4 **Sec. 1.** RCW 3.66.020 and 1991 c 33 s 1 are each amended to read as
5 follows:

6 If the value of the claim or the amount at issue does not exceed
7 twenty-five thousand dollars, exclusive of interest, costs, and
8 attorneys' fees, the district court shall have jurisdiction and
9 cognizance of the following civil actions and proceedings:

- 10 (1) Actions arising on contract for the recovery of money;
- 11 (2) Actions for damages for injuries to the person, or for taking
12 or detaining personal property, or for injuring personal property, or
13 for an injury to real property when no issue raised by the answer
14 involves the plaintiff's title to or possession of the same and actions
15 to recover the possession of personal property;
- 16 (3) Actions for a penalty;
- 17 (4) Actions upon a bond conditioned for the payment of money, when
18 the amount claimed does not exceed twenty-five thousand dollars, though
19 the penalty of the bond exceeds that sum, the judgment to be given for

1 the sum actually due, not exceeding the amount claimed in the
2 complaint;

3 (5) Actions on an undertaking or surety bond taken by the court;

4 (6) Actions for damages for fraud in the sale, purchase, or
5 exchange of personal property;

6 (7) Proceedings to take and enter judgment on confession of a
7 defendant;

8 (8) Proceedings to issue writs of attachment, garnishment and
9 replevin upon goods, chattels, moneys, and effects; ((and))

10 (9) Proceedings to civilly enforce any judgment entered in any
11 other court of limited jurisdiction organized under the laws of this
12 state; and

13 (10) All other actions and proceedings of which jurisdiction is
14 specially conferred by statute, when the title to, or right of
15 possession of real property is not involved.

16 **Sec. 2.** RCW 3.66.040 and 1988 c 71 s 1 are each amended to read as
17 follows:

18 (1) An action arising under RCW 3.66.020 (1), (2) except for the
19 recovery of possession of personal property, (4), (6), (7), and ((+9))
20 (10) may be brought in any district in which the defendant, or, if
21 there be more than one defendant, where some one of the defendants,
22 resides at the time the complaint is filed or in which the defendant,
23 or if there be more than one defendant, where some one of the
24 defendants may be served with the notice and complaint in which latter
25 case, however, the district where the defendant or defendants is or are
26 served must be within the county in which the said defendant or
27 defendants reside. If the residence of the defendant is not
28 ascertained by reasonable efforts, the action may be brought in the
29 district in which the defendant's place of actual physical employment
30 is located.

31 (2) An action arising under RCW 3.66.020(2) for the recovery of
32 possession of personal property and RCW 3.66.020(8) shall be brought in
33 the district in which the subject matter of the action or some part
34 thereof is situated.

35 (3) An action arising under RCW 3.66.020 (3) and (5) shall be
36 brought in the district in which the cause of action, or some part
37 thereof arose.

1 (4) An action arising under RCW 3.66.020(2) for the recovery of
2 damages for injuries to the person or for injury to personal property
3 arising from a motor vehicle accident may be brought, at the
4 plaintiff's option, either in the district in which the cause of
5 action, or some part thereof, arose, or in the district in which the
6 defendant, or, if there be more than one defendant, where some one of
7 the defendants, resides at the time the complaint is filed.

8 (5) A proceeding under RCW 3.66.020(9) may be brought in the
9 district within which the other court of limited jurisdiction is
10 located, the district where any defendant resides, or the district
11 wherein any property or person subject to garnishment, execution, or
12 examination supplemental to execution is located.

13 (6) An action against a nonresident of this state may be brought in
14 any district where service of process may be had, or in which the cause
15 of action or some part thereof arose, or in which the plaintiff or one
16 of them resides.

17 (~~(6)~~) (7) For the purposes of chapters 3.30 through 3.74 RCW, the
18 residence of a corporation defendant shall be deemed to be in any
19 district where the corporation transacts business or has an office for
20 the transaction of business or transacted business at the time the
21 cause of action arose or where any person resides upon whom process may
22 be served upon the corporation, unless herein otherwise provided.

23 **Sec. 3.** RCW 3.62.060 and 1992 c 62 s 8 are each amended to read as
24 follows:

25 Clerks of the district courts shall collect the following fees for
26 their official services:

27 (1) In any civil action commenced before or transferred to a
28 district court, the plaintiff shall, at the time of such commencement
29 or transfer, pay to such court a filing fee of thirty-one dollars plus
30 any surcharge authorized by RCW 7.75.035. No party shall be compelled
31 to pay to the court any other fees or charges up to and including the
32 rendition of judgment in the action other than those listed.

33 (2) For issuing a writ of garnishment or other writ a fee of six
34 dollars.

35 (3) For filing a supplemental proceeding a fee of twelve dollars.

36 (4) For demanding a jury in a civil case a fee of fifty dollars to
37 be paid by the person demanding a jury.

38 (5) For preparing a transcript of a judgment a fee of six dollars.

1 (6) For certifying any document on file or of record in the clerk's
2 office a fee of five dollars.

3 (7) For preparing the record of a case for appeal to superior court
4 a fee of forty dollars including any costs of tape duplication as
5 governed by the rules of appeal for courts of limited jurisdiction
6 (RALJ).

7 (8) For duplication of part or all of the electronic tape or tapes
8 of a proceeding ten dollars per tape.

9 (9) For filing any abstract of judgment or transcript of judgment
10 from any other court of limited jurisdiction organized under the laws
11 of this state a fee of thirty-one dollars.

12 The fees or charges imposed under this section shall be allowed as
13 court costs whenever a judgment for costs is awarded.

14 **Sec. 4.** RCW 12.04.130 and Code 1881 s 1723 are each amended to
15 read as follows:

16 The court shall be deemed to have obtained possession of the case
17 from the time the complaint or claim is filed, after completion of
18 service, whether by publication or otherwise, and shall have control of
19 all subsequent proceedings. In the case of proceedings to civilly
20 enforce a judgment entered in any other court of limited jurisdiction
21 organized under the laws of this state, the court shall have
22 jurisdiction over the proceedings, if not earlier obtained, from the
23 time of filing an abstract or transcript of judgment thereof.

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