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HOUSE BILL 2753

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Sheahan and Dellwo

Read first time 01/18/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to assignees of claims filed or prosecuted in the  
2 small claims department of district court; and amending RCW 12.40.070  
3 and 12.40.025.

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

5 **Sec. 1.** RCW 12.40.070 and 1984 c 258 s 64 are each amended to read  
6 as follows:

7 A claim must be verified by the real claimant (~~(, and no claim shall~~  
8 ~~be filed or prosecuted in the small claims department by the assignee~~  
9 ~~of the claim))).~~

10 **Sec. 2.** RCW 12.40.025 and 1984 c 258 s 59 are each amended to read  
11 as follows:

12 A defendant in a district court proceeding in which the claim is  
13 within the jurisdictional amount for the small claims department may in  
14 accordance with court rules transfer the action to the small claims  
15 department. In the event of such a transfer (~~(the provisions of RCW~~  
16 ~~12.40.070 shall not be applicable if the plaintiff was an assignee of~~  
17 ~~the claim at the time the action was commenced nor shall the provisions~~  
18 ~~of)) RCW 12.40.080 shall not prohibit an attorney from representing the~~

1 plaintiff if ((he)) the attorney was the attorney of record for the  
2 plaintiff at the time the action was commenced.

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