
SENATE BILL 5142

State of Washington

55th Legislature

1997 Regular Session

By Senators Roach, Loveland and Winsley

Read first time 01/16/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to the collection of judgments; and reenacting and
2 amending RCW 36.18.190.

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

4 **Sec. 1.** RCW 36.18.190 and 1995 c 291 s 8 and 1995 c 262 s 1 are
5 each reenacted and amended to read as follows:

6 Superior court clerks may contract with collection agencies under
7 chapter 19.16 RCW or may use county collection services for the
8 collection of unpaid court-ordered legal financial obligations as
9 enumerated in RCW 9.94A.030 that are ordered pursuant to a felony or
10 misdemeanor conviction. The costs for the agencies or county services
11 shall be paid by the debtor. The superior court may, at sentencing or
12 at any time within ten years, assess as court costs the moneys paid for
13 remuneration for services or charges paid to collection agencies or for
14 collection services. By agreement, clerks may authorize collection
15 agencies to retain all or any portion of the interest collected on
16 these accounts. Collection may not be initiated with respect to a
17 criminal offender who is under the supervision of the department of
18 corrections without the prior agreement of the department. Superior
19 court clerks are encouraged to initiate collection action with respect

1 to a criminal offender who is under the supervision of the department
2 of corrections, with the department's approval.

3 Any contract with a collection agency shall be awarded only after
4 competitive bidding. Factors that a court clerk shall consider in
5 awarding a collection contract include but are not limited to: (1) A
6 collection agency's history and reputation in the community; and (2)
7 the agency's access to a local data base that may increase the
8 efficiency of its collections. Contracts may specify the scope of
9 work, remuneration for services, and other charges deemed appropriate.

10 The servicing of an unpaid court obligation does not constitute
11 assignment of a debt, and no contract with a collection agency may
12 remove the court's control over unpaid obligations owed to the court.

13 The county clerk may collect civil judgments where the county is
14 the creditor.

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