

FINAL BILL REPORT

EHB 1232

C 296 L 99

Synopsis as Enacted

Brief Description: Changing provisions relating to judgments.

Sponsors: Representatives Sheahan, Constantine, McDonald and Scott.

House Committee on Judiciary

Senate Committee on Judiciary

Background:

When a judgment is entered in a court case, the clerk of the court is responsible for processing certain paperwork associated with the judgment. Included in these responsibilities is entering the judgment in the court execution docket, which allows a record to be kept of the parties' compliance with the requirements of the judgment. Each judgment for the payment of money must have a summary page that succinctly summarizes information about the judgment creditor and debtor, the amount of the judgment and any interest owed, and the total of costs and attorney fees owed.

Judgments may also effect specific kinds of property, such as real property or motor vehicles. There are specific laws relating to these kinds of property that may require action based on a judgment. In particular:

- Any legal instrument effecting the ownership of real property may be recorded with the county auditor. The instrument must include an "abbreviated legal description" of the property and the assessor's tax parcel number.
- Under the state's motor vehicle financial responsibility law, when a driver is subject to a judgment for damages as the result of an accident he or she caused, the Department of Licensing is to be notified if the driver fails to pay the damages. Notice must be given when the driver is 30 days late in satisfying the judgment.

The inclusion of specific information in summaries of judgments involving real property or motor vehicles could facilitate compliance with the real estate recording law and the motor vehicle financial responsibility law.

Summary:

The requirements for a summary page of a judgment are expanded as follows:

- If the judgment involves an award of any interest in real property, the summary page must include an abbreviated legal description of the property and the assessor's tax parcel number.
- If the judgment involves damages from a motor vehicle accident, the summary page must include a clear statement that the clerk is to notify the Department of Licensing as required by the financial responsibility law.

Notes on Final Passage:

House 95 0

Senate 46 0

Effective: July 25, 1999