

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5251

Chapter 43, Laws of 2003

58th Legislature
2003 Regular Session

FOREIGN JUDGMENTS

EFFECTIVE DATE: 7/27/03

Passed by the Senate March 19, 2003
YEAS 46 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 8, 2003
YEAS 95 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Milton H. Doumit, Jr.,
Secretary of the Senate of the
State of Washington, do hereby
certify that the attached is
SUBSTITUTE SENATE BILL 5251 as
passed by the Senate and the House
of Representatives on the dates
hereon set forth.

MILTON H. DOUMIT JR.

Secretary

Approved April 17, 2003.

FILED

April 17, 2003 - 2:32 p.m.

GARY LOCKE

Governor of the State of Washington

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5251

Passed Legislature - 2003 Regular Session

State of Washington 58th Legislature 2003 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Brandland, Thibaudeau, Shin and Kline)

READ FIRST TIME 03/03/03.

1 AN ACT Relating to foreign judgments; and amending RCW 4.64.030 and
2 6.36.035.

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

4 **Sec. 1.** RCW 4.64.030 and 2000 c 41 s 1 are each amended to read as
5 follows:

6 (1) The clerk shall enter all judgments in the execution docket,
7 subject to the direction of the court and shall specify clearly the
8 amount to be recovered, the relief granted, or other determination of
9 the action.

10 (2)(a) On the first page of each judgment which provides for the
11 payment of money, including foreign judgments, judgments in rem,
12 mandates of judgments, and judgments on garnishments, the following
13 shall be succinctly summarized: The judgment creditor and the name of
14 his or her attorney, the judgment debtor, the amount of the judgment,
15 the interest owed to the date of the judgment, and the total of the
16 taxable costs and attorney fees, if known at the time of the entry of
17 the judgment, and in the entry of a foreign judgment, the filing and
18 expiration dates of the judgment under the laws of the original
19 jurisdiction.

1 (b) If the judgment provides for the award of any right, title, or
2 interest in real property, the first page must also include an
3 abbreviated legal description of the property in which the right,
4 title, or interest was awarded by the judgment, including lot, block,
5 plat, or section, township, and range, and reference to the judgment
6 page number where the full legal description is included, if
7 applicable; or the assessor's property tax parcel or account number,
8 consistent with RCW 65.04.045(1) (f) and (g).

9 (c) If the judgment provides for damages arising from the
10 ownership, maintenance, or use of a motor vehicle as specified in RCW
11 46.29.270, the first page of the judgment summary must clearly state
12 that the judgment is awarded pursuant to RCW 46.29.270 and that the
13 clerk must give notice to the department of licensing as outlined in
14 RCW 46.29.310.

15 (3) If the attorney fees and costs are not included in the
16 judgment, they shall be summarized in the cost bill when filed. The
17 clerk may not enter a judgment, and a judgment does not take effect,
18 until the judgment has a summary in compliance with this section. The
19 clerk is not liable for an incorrect summary.

20 **Sec. 2.** RCW 6.36.035 and 1997 c 358 s 1 are each amended to read
21 as follows:

22 (1) At the time of the filing of the foreign judgment, the judgment
23 creditor or the judgment creditor's lawyer shall make and file with the
24 clerk of court an affidavit setting forth the name and last known post
25 office address of the judgment debtor, ~~((and))~~ the judgment creditor,
26 and the filing and expiration date of the judgment in the originating
27 jurisdiction.

28 (2) Promptly upon the filing of the foreign judgment and the
29 affidavit, the judgment creditor shall mail notice of the filing of the
30 foreign judgment to the judgment debtor at the address given. The
31 notice shall include the name and post office address of the judgment
32 creditor and the judgment creditor's lawyer if any in this state. In
33 addition, the judgment creditor shall file proof of mailing with the
34 clerk.

35 (3)(a) No execution or other process for enforcement of a foreign
36 judgment filed in the office of the clerk of a superior court shall be

1 allowed until ten days after the proof of mailing has been filed with
2 the clerk by the judgment creditor.

3 (b) No execution or other process for enforcement of a foreign
4 judgment filed in the office of the clerk of a district court shall be
5 allowed until fourteen days after the proof of mailing has been filed
6 with the clerk by the judgment creditor.

7 (c) Nothing in this section may be interpreted to extend the
8 expiration date of a foreign judgment beyond the expiration date under
9 the laws of the jurisdiction where the judgment originated.

Passed by the Senate March 19, 2003.

Passed by the House April 8, 2003.

Approved by the Governor April 17, 2003.

Filed in Office of Secretary of State April 17, 2003.