
SUBSTITUTE SENATE BILL 6324

State of Washington

65th Legislature

2018 Regular Session

By Senate Law & Justice (originally sponsored by Senators Angel and Takko)

READ FIRST TIME 01/31/18.

1 AN ACT Relating to the destruction of court exhibits by county
2 clerks; and amending RCW 7.52.160 and 36.23.070.

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

4 **Sec. 1.** RCW 7.52.160 and 2011 c 336 s 224 are each amended to
5 read as follows:

6 If an order of sale be made before the distribution of the
7 proceeds thereof, the plaintiff shall produce to the court the
8 certificate (~~of the clerk of the county where the property is~~
9 ~~situated~~), showing the liens remaining unsatisfied, if any, by
10 judgment or decree upon the property or any portion thereof, and
11 unless he or she do so the court shall order a referee to ascertain
12 them.

13 **Sec. 2.** RCW 36.23.070 and 1981 c 154 s 1 are each amended to
14 read as follows:

15 (1) A county clerk may, at any time more than ((six)) ten years
16 after ((the entry of)) a case completion order or final ((judgment))
17 mandate in any action ((apply to)), obtain an order from the superior
18 court ((for an)) authorizing ((order and, upon such order being
19 signed and entered, turn such)) destruction of exhibits or
20 authorizing exhibits of possible value to be turned over to the

1 sheriff for disposal in accordance with the provisions of chapter
2 63.40 RCW(~~(, and destroy any other exhibits, unopened depositions,~~
3 ~~and reporters' notes which have theretofore been filed in such cause:~~
4 ~~PROVIDED, That reporters' notes in criminal cases must be preserved~~
5 ~~for at least fifteen years)~~: PROVIDED ((FURTHER)), That any exhibits
6 ((~~which are~~)) deemed by the clerk to possess historical value may be
7 ((~~directed to be delivered~~)) offered by the county clerk to the state
8 of Washington archivist. If no historic value is claimed by state
9 authorities, the exhibits may be delivered to libraries or historical
10 societies or destroyed. Exhibits may be destroyed or returned sooner,
11 as authorized by state court rule, when ordered by the court.

12 (2) A county clerk may, at any time more than ten years after a
13 case completion order or final mandate in any action, obtain an order
14 from the superior court authorizing destruction of court recordings
15 and reporters' notes. Court reporter notes shall be filed with the
16 county clerk, pursuant to RCW 2.32.200, and shall be accompanied by
17 an index of the case numbers and hearing dates included in each
18 submission. A county clerk may require reporters to file notes
19 electronically pursuant to a statewide filing standard for electronic
20 submission established by the Washington state association of county
21 clerks.

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