
SENATE BILL 6324

State of Washington

65th Legislature

2018 Regular Session

By Senators Angel and Takko

1 AN ACT Relating to the destruction of court exhibits by county
2 clerks; and amending RCW 7.52.160, 36.23.070, and 36.23.030.

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))~~ case completion or entry of final judgment in any
17 action apply to the superior court for an order authorizing ~~((order~~
18 ~~and, upon such order being signed and entered, turn such))~~
19 destruction of exhibits or authorizing exhibits of possible value to
20 be turned over to the sheriff for disposal in accordance with the

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

12 (2) A county clerk may, at any time more than ten years after a
13 hearing in any action, apply to the superior court for an order
14 authorizing destruction of court recordings and reporters' notes.
15 Court reporter notes shall be filed with the county clerk, pursuant
16 to RCW 2.32.200, and shall be accompanied by an index of the case
17 numbers and hearing dates included in each submission. A county clerk
18 may require reporters to file notes electronically and establish
19 filing standards for electronic submission.

20 **Sec. 3.** RCW 36.23.030 and 2011 c 193 s 3 are each amended to
21 read as follows:

22 The clerk of the superior court at the expense of the county
23 shall keep the following records:

24 (1) A record in which he or she shall enter all appearances and
25 the time of filing all pleadings in any cause;

26 (2) ~~((A docket in which before every session, he or she shall~~
27 ~~enter the titles of all causes pending before the court at that~~
28 ~~session in the order in which they were commenced, beginning with~~
29 ~~criminal cases, noting in separate columns the names of the~~
30 ~~attorneys, the character of the action, the pleadings on which it~~
31 ~~stands at the commencement of the session. One copy of this docket~~
32 ~~shall be furnished for the use of the court and another for the use~~
33 ~~of the members of the bar;~~

34 ~~(3))~~ A record for each session in which he or she shall enter
35 the names of witnesses and jurors, with time of attendance, distance
36 of travel, and whatever else is necessary to enable him or her to
37 make out a complete cost bill;

38 ~~((4))~~ (3) A record in which he or she shall record the daily
39 proceedings of the court, and enter all verdicts, orders, judgments,

1 and decisions thereof, which may, as provided by local court rule, be
2 signed by the judge; but the court shall have full control of all
3 entries in the record at any time during the session in which they
4 were made;

5 ~~((+5))~~ (4) An execution docket and also one for a final record
6 in which he or she shall make a full and perfect record of all
7 criminal cases in which a final judgment is rendered, and all civil
8 cases in which by any order or final judgment the title to real
9 estate, or any interest therein, is in any way affected, and such
10 other final judgments, orders, or decisions as the court may require;

11 ~~((+6))~~ (5) A record in which shall be entered all orders,
12 decrees, and judgments made by the court and the minutes of the court
13 in probate proceedings;

14 ~~((+7))~~ (6) A record of wills and bonds shall be maintained.
15 Originals shall be placed in the original file and shall be preserved
16 or duplicated pursuant to RCW 36.23.065;

17 ~~((+8))~~ (7) A record of letters testamentary, administration, and
18 guardianship in which all letters testamentary, administration, and
19 guardianship shall be recorded;

20 ~~((+9))~~ (8) A record of claims shall be entered in the appearance
21 docket under the title of each estate or case, stating the name of
22 each claimant, the amount of his or her claim and the date of filing
23 of such;

24 ~~((+10))~~ (9) A memorandum of the files, in which at least one
25 page shall be given to each estate or case, wherein shall be noted
26 each paper filed in the case, and the date of filing each paper;

27 ~~((+11))~~ (10) A record of the number of petitions filed for
28 restoration of the right to possess a firearm under chapter 9.41 RCW
29 and the outcome of the petitions;

30 ~~((+12))~~ (11) Such other records as are prescribed by law and
31 required in the discharge of the duties of his or her office.

--- END ---