
HOUSE BILL 2138

State of Washington

54th Legislature

1996 Regular Session

By Representatives Sheahan, Appelwick, Scott, Hatfield, Dickerson,
Thompson and Costa

Read first time 01/08/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to the payment of fees; and amending RCW 6.17.020
2 and 13.40.145.

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

4 **Sec. 1.** RCW 6.17.020 and 1995 c 231 s 4 are each amended to read
5 as follows:

6 (1) Except as provided in subsections (2), (3), and (4) of this
7 section, the party in whose favor a judgment of a court of record of
8 this state or a district court of this state has been or may be
9 rendered, or the assignee, may have an execution issued for the
10 collection or enforcement of the judgment at any time within ten years
11 from entry of the judgment.

12 (2) After July 23, 1989, a party who obtains a judgment or order of
13 a court of record of any state, or an administrative order entered as
14 defined in RCW 74.20A.020(6) for accrued child support, may have an
15 execution issued upon that judgment or order at any time within ten
16 years of the eighteenth birthday of the youngest child named in the
17 order for whom support is ordered.

18 (3) After June 9, 1994, a party in whose favor a judgment has been
19 rendered pursuant to subsection (1) or (4) of this section may, within

1 ninety days before the expiration of the original ten-year period,
2 apply to the court that rendered the judgment for an order granting an
3 additional ten years during which an execution may be issued. The
4 petitioner shall pay to the court a filing fee equal to the filing fee
5 for filing the first or initial paper in a civil action in the court.
6 When application is made to the court to grant an additional ten years,
7 the application shall be accompanied by a current and updated judgment
8 summary as outlined in RCW 4.64.030. The filing fee required under
9 this subsection shall be included in the judgment summary and shall be
10 a recoverable cost.

11 (4) A party who obtains a judgment or order for restitution or
12 other court-ordered legal financial obligations pursuant to a criminal
13 judgment and sentence may execute the judgment or order any time within
14 ten years subsequent to the entry of the judgment and sentence or ten
15 years following the offender's release from total confinement as
16 provided in chapter 9.94A RCW. Legal financial obligations are
17 extended in the same manner as under subsection (4) of this section.
18 The extension is solely for the purpose of collection as allowed under
19 RCW 36.18.190.

20 **Sec. 2.** RCW 13.40.145 and 1995 c 275 s 4 are each amended to read
21 as follows:

22 Upon disposition or at the time of a modification or at the time an
23 appellate court remands the case to the trial court following a ruling
24 in favor of the state the court may order the juvenile or a parent or
25 another person legally obligated to support the juvenile to appear, and
26 the court may inquire into the ability of those persons to pay a
27 reasonable sum representing in whole or in part the fees for legal
28 services provided by publicly funded counsel and the costs incurred by
29 the public in producing a verbatim report of proceedings and clerk's
30 papers for use in the appellate courts.

31 If, after hearing, the court finds the juvenile, parent, or other
32 legally obligated person able to pay part or all of the attorney's fees
33 and costs incurred on appeal, the court may enter such order or decree
34 as is equitable and may enforce the order or decree by execution, or in
35 any way in which a court of equity may enforce its decrees.

36 In no event may the court order an amount to be paid for attorneys'
37 fees that exceeds the average per case fee allocation for juvenile
38 proceedings in the county where the services have been provided or the

1 average per case fee allocation for juvenile appeals established by the
2 Washington supreme court.

3 In any case in which there is no compliance with an order or decree
4 of the court requiring a juvenile, parent, or other person legally
5 obligated to support the juvenile to pay for legal services provided by
6 publicly funded counsel, the court may, upon such person or persons
7 being properly summoned or voluntarily appearing, proceed to inquire
8 into the amount due upon the order or decree and enter judgment for
9 that amount against the defaulting party or parties. Judgment shall be
10 docketed in the same manner as are other judgments for the payment of
11 money.

12 The county in which such judgments are entered shall be denominated
13 the judgment creditor, and the judgments may be enforced by the
14 prosecuting attorney of that county. Any moneys recovered thereon
15 shall be paid into the registry of the court and shall be disbursed to
16 such person, persons, agency, or governmental entity as the court finds
17 entitled thereto.

18 Such judgments shall remain valid and enforceable for a period of
19 ten years subsequent to entry.

20 When the juvenile reaches the age of eighteen, the superior court
21 clerk must docket the remaining balance of the juvenile's legal
22 financial obligations in the same manner as other judgments for the
23 payment of money. The judgment remains valid and enforceable until ten
24 years from the date of its imposition.

--- END ---