

SENATE BILL REPORT

SHB 1348

As Reported By Senate Committee On:
Judiciary, February 22, 2006

Title: An act relating to jurisdiction over judgments.

Brief Description: Providing a uniform method of transferring a municipal court judgment into district court.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Williams, Newhouse and Lantz).

Brief History: Passed House: 2/28/05, 89-0.

Committee Activity: Judiciary: 3/23/05, 3/29/05, 2/22/06 [DPA].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Carrell, Esser, Hargrove, McCaslin, Rasmussen and Thibaudeau.

Staff: Cindy Fazio (786-7405)

Background: Municipal courts and municipal departments within district courts have jurisdiction to process civil and criminal violations of city ordinances that could result in monetary fines. The statutes governing municipal courts and municipal departments do not provide those courts with jurisdiction over civil judgment enforcement proceedings, such as garnishment or attachment.

District courts have jurisdiction over misdemeanors and gross misdemeanors and over civil actions where the amount at issue is not more than \$50,000. District courts generally have the same powers as superior courts to enforce money judgments. For instance, district and superior courts can use garnishment and attachment to enforce judgments.

Summary of Amended Bill: District courts are granted jurisdiction over proceedings to civilly enforce money judgments from a municipal court or a municipal department of a district court. The proceeding may be brought in the district in which the municipal court or municipal department is located. The district court may not vacate or amend the judgment. The fee for filing the abstract of judgment or transcript of judgment in district court is forty-three dollars.

Amended Bill Compared to Substitute Bill: The fee is changed from thirty-one to forty-three dollars.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: None.

Testimony Against: None.

Who Testified: No one.