



1 action to a court not of this state that consents to the transfer and  
2 can exercise jurisdiction over the matters transferred.

3 NEW SECTION. **Sec. 103.** TRANSFER BY COURT LACKING JURISDICTION.  
4 A court of record of this state that lacks jurisdiction of the subject  
5 matter of an action or part of an action or that lacks jurisdiction  
6 over a party may transfer all or any part of the action to a court not  
7 of this state that consents to the transfer and can exercise  
8 jurisdiction over the matters and parties transferred.

9 NEW SECTION. **Sec. 104.** REASONS FOR TRANSFER. A transfer may be  
10 ordered to serve the fair, effective, and efficient administration of  
11 justice and the convenience of the parties and witnesses. The court  
12 shall consider all relevant factors, including the interest of each  
13 plaintiff in selecting a forum and the public interest in securing a  
14 single litigation and disposition of related matters.

15 NEW SECTION. **Sec. 105.** TRANSFERRING COURT'S ORDER. A court may  
16 order transfer on motion by a party or on its own initiative after  
17 notice and opportunity to be heard. A transfer order must state the  
18 reasons for transfer. If part of an action is transferred, the order  
19 must state the part as a term of transfer; the order may state other  
20 terms of transfer. The court shall give notice of the transfer order  
21 to the parties. A party or the court may file the transfer order in  
22 the receiving court.

23 NEW SECTION. **Sec. 106.** WHEN TRANSFER EFFECTIVE. A transfer takes  
24 effect when an order accepting transfer is filed in the transferring  
25 court.



1        NEW SECTION.    **Sec. 202.**    RECEIPT BY COURT HAVING JURISDICTION.    A  
2    court that can exercise jurisdiction over the subject matter and  
3    parties may accept a transfer whether or not the transferring court had  
4    jurisdiction of the subject matter or parties.

5        NEW SECTION.    **Sec. 203.**    RECEIPT BY COURT LACKING PERSONAL  
6    JURISDICTION.    A receiving court that can exercise jurisdiction over  
7    the subject matter may assert jurisdiction over a party that is within  
8    the personal and subject matter jurisdiction of the transferring court.

9        NEW SECTION.    **Sec. 204.**    RECEIPT REFUSED.    A receiving court may  
10   refuse to accept transfer for any reason, but shall state the reasons  
11   for the refusal.

12       NEW SECTION.    **Sec. 205.**    RECEIPT ORDER.    A party may move for an  
13   order accepting or refusing a transfer.    The receiving court shall  
14   enter an order accepting the transfer unless within thirty days after  
15   the motion was made the court enters an order refusing the transfer or  
16   directing further proceedings to determine whether to accept the  
17   transfer.

18       NEW SECTION.    **Sec. 206.**    NOTICE OF RECEIPT.    The receiving court  
19   shall give all parties notice of the order accepting or refusing  
20   transfer.    A party or the court may file the order in the transferring  
21   court.    The transfer takes effect when an order accepting transfer is  
22   filed in the transferring court.

23       NEW SECTION.    **Sec. 207.**    REQUEST FOR RECORD.    The receiving court  
24   may request the transferring court to send relevant portions of the

1 record to aid in deciding whether to accept transfer or to supplement  
2 the record sent by the transferring court.

3 NEW SECTION. **Sec. 208.** TERMS OF TRANSFER. The receiving court  
4 for good cause may depart from the terms specified in the transfer  
5 order.

6 NEW SECTION. **Sec. 209.** STATUTE OF LIMITATIONS. If the  
7 transferring court had jurisdiction of the subject matter and parties,  
8 the receiving court may not dismiss because of a statute of limitations  
9 a claim that would not be dismissed on that ground by the transferring  
10 court.

11 NEW SECTION. **Sec. 210.** DATE OF FILING. The receiving court shall  
12 treat the matters transferred as if they were initially filed on the  
13 date of filing in the transferring court.

14 NEW SECTION. **Sec. 211.** TRANSFERRING COURT PROCEDURES. A  
15 procedure completed in the transferring court before transfer has the  
16 same effect in the receiving court as in the transferring court unless  
17 the receiving court orders otherwise. A procedure pending at the time  
18 of transfer must be completed according to the rules of the  
19 transferring court, measuring applicable time limits as if the  
20 procedure had been initiated ten days after the transfer took effect,  
21 unless otherwise ordered by the transferring or receiving court.

22 NEW SECTION. **Sec. 212.** OUTSTANDING ORDERS. An injunction or  
23 other order in effect at the time of transfer remains in effect after  
24 transfer according to its terms until dissolved or modified by the  
25 receiving court.

1        NEW SECTION.    **Sec. 213.**    PAST ORDERS.    The receiving court may  
2 vacate or amend an order made by the transferring court as if it had  
3 entered the order.

4        NEW SECTION.    **Sec. 214.**    APPEARANCE OF COUNSEL.    Ordinarily the  
5 receiving court shall permit counsel of record in the transferring  
6 court to appear.    The receiving court may require local counsel to  
7 appear only if necessary to ensure orderly disposition of the  
8 transferred matters.    The law that would be applied by the transferring  
9 court governs contracts between clients and counsel who appeared in the  
10 transferring court and any ground advanced to disqualify counsel who  
11 appeared in the transferring court.

12       NEW SECTION.    **Sec. 215.**    RETURN FOR LACK OF JURISDICTION.    If the  
13 receiving court determines after accepting transfer that it lacks  
14 jurisdiction of all or a part of the matters transferred by a court  
15 that had jurisdiction, it may return that matter and any additional  
16 matters to the transferring court.

17       NEW SECTION.    **Sec. 216.**    RETURN PURSUANT TO TRANSFER ORDER.    The  
18 receiving court may return any transferred matter to the transferring  
19 court pursuant to the terms of the transfer order.

20       NEW SECTION.    **Sec. 217.**    NOTICE AND EFFECTIVE DATE OF RETURN.    A  
21 receiving court shall give all parties notice of a return order.    A  
22 party or the receiving court may file the return order in the  
23 transferring court.    A return takes effect when a return order is filed  
24 in the transferring court.



1        NEW SECTION.   **Sec. 304.**   Sections 101 through 110, 201 through 219,  
2   and 301 through 303 of this act shall constitute a new chapter in Title  
3   4 RCW.