

SENATE BILL 5027

State of Washington 52nd Legislature 1991 Regular Session

By Senators Nelson, Rasmussen and Thorsness.

Read first time January 16, 1991. Referred to Committee on Law & Justice.

1 AN ACT Relating to jurisdiction of small claims departments; and
2 amending RCW 12.40.010 and 12.40.080.

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

4 **Sec. 1.** RCW 12.40.010 and 1988 c 85 s 1 are each amended to read
5 as follows:

6 In every district court there shall be created and organized by the
7 court a department to be known as the "small claims department of the
8 district court". The small claims department shall have jurisdiction,
9 but not exclusive, in cases for the recovery of money only if the
10 amount claimed does not exceed (~~two~~) five thousand dollars.

11 **Sec. 2.** RCW 12.40.080 and 1984 c 258 s 65 are each amended to read
12 as follows:

1 No attorney at law, legal paraprofessional, nor any person other
2 than the plaintiff and defendant, shall concern himself or herself or
3 in any manner interfere with the prosecution or defense of litigation
4 in the small claims department without the consent of the judge of the
5 district court. (~~If~~) A corporation plaintiff (~~is~~) may not be
6 represented by an attorney at law, or legal paraprofessional(~~, the~~
7 ~~judge shall at the request of the defendant transfer the case to the~~
8 ~~regular civil docket~~). In the small claims department it shall not be
9 necessary to summon witnesses, but the plaintiff and defendant in any
10 claim shall have the privilege of offering evidence in their behalf by
11 witnesses appearing at such hearing, and the judge may informally
12 consult witnesses or otherwise investigate the controversy between the
13 parties, and give judgment or make such orders as the judge may deem to
14 be right, just and equitable for the disposition of the controversy.