

SENATE BILL REPORT

HB 1424

As Reported By Senate Committee On:
Law & Justice, March 20, 1995

Title: An act relating to court seals.

Brief Description: Concerning the use of court seals.

Sponsors: Representative Padden.

Brief History:

Committee Activity: Law & Justice: 3/20/95 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Smith, Chair; C. Anderson, Vice Chair; Haugen, Johnson, Long, Roach and Schow.

Staff: Martin Lovinger (786-7443)

Background: In 1992, the Legislature passed a law authorizing district and municipal courts to have court seals. The law provides that "all process" must be issued under court seal. The law was passed to assist people who had previously found it difficult to have federal and state agencies recognize orders from courts of limited jurisdiction, such as name changes.

The word "process" is not defined in statute. Some district court judges have raised the concern that the law seems to require that all process, whether civil or criminal, no matter how trivial or routine, must be under seal.

Summary of Bill: District and municipal courts must issue a document under seal upon request. In all other cases, the court may issue a document under seal.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The bill clarifies that a court seal is only required when requested by the person seeking the document. In other situations, the courts are given an option regarding court seal use.

Testimony Against: None.

Testified: Representative Padden, prime sponsor; Melanie Stewart, WA District and Municipal Court Judges Assn. (pro).