
SENATE BILL 5559

State of Washington

66th Legislature

2019 Regular Session

By Senator Padden

1 AN ACT Relating to commencement of civil actions; and adding a
2 new section to chapter 4.28 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 4.28 RCW
5 to read as follows:

6 (1) When a civil action is commenced by service of a copy of a
7 summons and complaint before court filing and without a court-
8 assigned case number, and the action is based on an alleged
9 noncommercial claim, payment obligation, express or implied contract,
10 or agreement, whether or not the obligation has been reduced to
11 judgment, the following materials must be attached to the complaint:

12 (a) A copy of the contract or other writing evidencing the
13 original claim, obligation, contract, or agreement containing the
14 defendant's signature or other authenticated evidence of the debtor's
15 agreement.

16 (b) An itemization of the amount sought including:

17 (i) The amount owed or allegedly owed for goods, services, credit
18 extended, or other things of value;

19 (ii) Interest, fees, and charges imposed by the original
20 claimant, if not the plaintiff, and any subsequent assignees if
21 applicable;

1 (iii) Attorneys' fees;
2 (iv) Any other fees, costs, or charges sought or imposed; and
3 (v) The amount and date of the last payment by the defendant.
4 (c) If a person other than the original claimant brings the
5 action, a complete copy of any assignment or other writing
6 establishing a transfer of interest to an assignee.
7 (i) The assignment, transfer of interest, or other writing must
8 show the date of the assignment and must clearly show the defendant's
9 correct name associated with the original obligation.
10 (ii) The assignment or other writing attached must be that by
11 which the assignment was made, not a document prepared for
12 litigation.
13 (2) A summons subject to subsection (1) of this section must
14 prominently bear the following legend:
15 "Under Washington law, handing this summons and complaint to you
16 or someone at your home starts a lawsuit against you even if there is
17 no court stamp or case number on the summons and complaint. Read the
18 summons carefully. It will tell you when you must make a written
19 response and where to deliver it. You must file a written response by
20 the time limit even if you do not agree that you owe any money. If
21 you do not file a written response, you may lose the right to have
22 your side of the case heard by a judge. The plaintiff may get a
23 judgment against you without further notice and may be able to take
24 money from your bank account or paycheck."
25 (3) For purposes of this section:
26 (a) "Noncommercial" means primarily for personal, family,
27 household, or agricultural purposes.
28 (b) "Original claimant" means the person with whom the initial
29 claim, payment obligation, express or implied contract, or agreement
30 was made.
31 (c) "Person" means any individual, company, association,
32 organization, partnership, corporation, or other business entity.

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