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Timothy W. Fitzgerald
SPOKANE COUNTY CLERK

Superior Court of Washington, County of Spokane

In re: Surina Marriage – Property *CRIME*

Petitioner/s (*person/s who started this case*):

SIRINYA POLARJ (Surina)

No. **17-3-01817-0**

Declaration of **Aaron Surina**

And Respondent

AARON SURINA

(DCLR)

Supplemental Declaration of Aaron Surina

1. I am 41 years old, I am the Respondent and father of David and Andrew Surina. I am the owner and title holder of the property referred to as "Rocky Ridge" through an agreement with my ex-wife who I was married to until October 16, 2018.
2. I declare: **The attached is incorporated as my sworn statement as signed below.**
3. I declare under penalty of perjury under the laws of the state of Washington that the facts I have provided on this form (and any attachments) are true.
4. ☒ I have attached 11 pages. *— RW's two sided*

Signed at **Spokane, Washington**

Date: 4/19/19


Sign here

Aaron Surina
Print name

Warning! Documents filed with the court are available for anyone to see unless they are sealed. Financial, medical, and confidential reports, as described in General Rule 22, must be sealed so they can only be seen by the court, the other party, and the lawyers in your case. Seal those documents by filing them separately, using a Sealed cover sheet (form FL All Family 011, 012, or 013). You may ask for an order to seal other documents

Optional Form (05/2016)
FL All Family 135

Declaration
p. 1 of 1

AARON SURINA
PO BOX 30123
SPOKANE WA 99223
707-200-4372
LEGAL@SURINA.ORG

RCW 26.16.040**Community realty subject to liens, execution.**

Community real estate shall be subject to the liens of mechanics and others for labor and materials furnished in erecting structures and improvements thereon as provided by law in other cases, to liens of judgments recovered for community debts, and to sale on execution issued thereon.

[1972 ex.s. c 108 § 4; Code 1881 § 2410; RRS § 6893.]

NOTES: Keith Glanzer motioned court 1/3/19 intending to liquidate proceeds from my separate property - Class C Felony under (9A.82.045) RCW
Acknowledgments: Chapter 64.08 RCW.

Liens: Title 60 RCW.

Jan 3rd, Attempt to use trickery in an "emergency" contempt order to classify my property as community property, while failing to inform a Superior Court Judge that this group was in collusion to collect an unlawful debt from me as Washington State law forbids (RCW 9A.82.045) and considered a Class C Felony. They wanted to trick court to unknowingly order 26.16.040 to be VALIDATE FRAUD & concealed DEED OF TRUST -
RCW 7.28.230 Allows me to request by Pleading/Motion unpaid fair market rent at half their rate $2500 \times 20 = 50,000 / 2 = 25,000.00$

RCW 48.30.220 - CLASS C FELONY DENYING ME THE RIGHT TO FILE INSURANCE CLAIM FOR LOSSES & DAMAGES - DENYING ACCESS TO PROPERTY -

RCW 4.84.160 Assignee of LOSSES: KEITH GLANZER - LOSS OF USE - AND CRIMES AGAINST MY FAMILY RESULTING IN OVER 150,000. IN DAMAGES AND CARL WILSON FOR CAUSING LOSS OF BUYER THROUGH DECLARATIONS & DRAFTED & DEED OF TRUST PLACED ON MY PROPERTY UNLAWFULLY.

Perjury in the second degree.

(1) A person is guilty of perjury in the second degree if, in an examination under oath under the terms of a contract of insurance, or with intent to mislead a public servant in the performance of his or her duty, he or she makes a materially false statement, which he or she knows to be false under an oath required or authorized by law.

(2) Perjury in the second degree is a class C felony.

[2001 c 171 § 3. Prior: 1995 c 285 § 31; 1975 1st ex.s. c 260 § 9A.72.030.]

NOTES:

Purpose—Effective date—2001 c 171: See notes following RCW 9A.72.010.

Effective date—1995 c 285: See RCW 48.30A.900.

Filed for Record at Request of:

Bradley and Stacie Barker
1616 S. Rocky Ridge Dr.
Spokane Valley, WA 99212

STATUTORY WARRANTY DEED

GRANTOR NUMBER 1, AARON M. SURINA, a married person dealing with his separate property, for and in consideration of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid, conveys and warrants all of his right, title and interest in the below-described real property to the below-named Grantees;

GRANTOR NUMBER 2, SIRINYA SURINA, wife of the said AARON M. SURINA, in order to clear title with respect to any possible marital property interest, hereby quitclaims and conveys all of her right, title and interest in the below-described real property to the below-named Grantees;

The Grantees, to whom the above-described conveyances are made, are **GRANTEES, BRADLEY J. BARKER and STACIE L. BARKER**, husband and wife.

(Legal Description of Conveyed Property:) **LOT 14 IN BLOCK 2, HEATHER PARK FIRST ADDITION**, according to plat recorded in Volume 16 of Plats, Page 41; **SITUATE in the City of Spokane Valley, County of Spokane, State of Washington;**

Assessor's Tax Parcel Number: 35261.1514

SUBJECT TO:

1. Liability for Assessments, if any, by the City of Spokane Valley;
2. Agreement for installation, maintenance and repair of water line, recorded February 21, 1980, under Auditor No. 8002210202;
3. Restrictions contained in Plat, to the extent enforceable under state and federal law;
4. Agreement for sewer maintenance; recorded October 27, 1983, under Auditor No. 8310270153;
5. Covenants, Conditions, Restrictions, Easements or Reservations, (to the extent enforceable under state and federal law) contained in instrument recorded October 27, 1983, under Auditor No. 8310270166;
6. Second Half 2019 Real Property Taxes.

WITNESS OUR HANDS this ____ day of March, 2019

AARON M. SURINA

STATE OF WASHINGTON)

County of Spokane) ss

, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

On this day personally appeared before me **AARON M. SURINA** **SIRINYA SURINA**, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this ____ day of March, 2019.

Notary Public in and for the State
of Washington, residing at _____
Commission expires: _____

RCW 4.60.030

Confession by person jointly liable.

When the action is upon a contract and against one or more defendants jointly liable, judgment may be given on the confession of one or more defendants, against all the defendants thus jointly liable, whether such defendants have been served or not, to be enforced only against their joint property and against the joint and separate property of the defendant making the confession.

[Code 1881 § 293; 1877 p 60 § 297; 1869 p 72 § 295; RRS § 415.]

RCW 4.60.060

Statement in writing—Requisites.

A statement in writing shall be made, signed by the defendant and verified by his or her oath, to the following effect:

- (1) It shall authorize the entry of judgment for a specified sum.
- (2) If it be for money due or to become due, it shall state concisely the facts out of which the indebtedness arose, and shall show that the sum confessed to be due, is justly due or to become due.
- (3) If it be for the purpose of securing the plaintiff against a contingent liability, it shall state concisely the facts constituting the liability, and show that the sum confessed therefor does not exceed the same.

[2011 c 336 § 113; Code 1881 § 296; 1877 p 61 § 300; 1869 p 73 § 298; RRS § 418.]

Intimidating a witness.

(1) A person is guilty of intimidating a witness if a person, by use of a threat against a current or prospective witness, attempts to:

- (a) Influence the testimony of that person;
- (b) Induce that person to elude legal process summoning him or her to testify;
- (c) Induce that person to absent himself or herself from such proceedings; or
- (d) Induce that person not to report the information relevant to a criminal investigation or the abuse or neglect of a minor child, not to have the crime or the abuse or neglect of a minor child prosecuted, or not to give truthful or complete information relevant to a criminal investigation or the abuse or neglect of a minor child.

(2) A person also is guilty of intimidating a witness if the person directs a threat to a former witness because of the witness's role in an official proceeding.

(3) As used in this section:

(a) "Threat" means:

(i) To communicate, directly or indirectly, the intent immediately to use force against any person who is present at the time; or

(ii) Threat as defined in *RCW 9A.04.110(27).

(b) "Current or prospective witness" means:

(i) A person endorsed as a witness in an official proceeding;

(ii) A person whom the actor believes may be called as a witness in any official proceeding; or

(iii) A person whom the actor has reason to believe may have information relevant to a criminal investigation or the abuse or neglect of a minor child.

(c) "Former witness" means:

(i) A person who testified in an official proceeding;

(ii) A person who was endorsed as a witness in an official proceeding;

(iii) A person whom the actor knew or believed may have been called as a witness if a hearing or trial had been held; or

(iv) A person whom the actor knew or believed may have provided information related to a criminal investigation or an investigation into the abuse or neglect of a minor child.

(4) Intimidating a witness is a class B felony.

(5) For purposes of this section, each instance of an attempt to intimidate a witness constitutes a separate offense.

[2011 c 165 § 2; 1997 c 29 § 1; 1994 c 271 § 204; 1985 c 327 § 2; 1982 1st ex.s. c 47 § 18; 1975 1st ex.s. c 260 § 9A.72.110.]

NOTES:

***Reviser's note:** RCW 9A.04.110 was amended by 2011 c 166 § 2, changing subsection (27) to subsection (28).

Intent—2011 c 165: "In response to *State v. Hall*, 168 Wn.2d 726 (2010), the legislature intends to clarify that each instance of an attempt to intimidate or tamper with a witness constitutes a separate violation for purposes of determining the unit of prosecution under the statutes governing tampering with a witness and intimidating a witness." [2011 c 165 § 1.]

Finding—1994 c 271: See note following RCW 9A.72.090.

Purpose—Severability—1994 c 271: See notes following RCW 9A.28.020.

Larceny or embezzlement—Specification.

In an indictment or information for larceny or embezzlement of money, bank notes, certificates of stock, or valuable securities, or for a conspiracy to cheat or defraud a person of any such property, it is sufficient to allege the larceny or embezzlement, or the conspiracy to cheat and defraud, to be of money, bank notes, certificates of stock, or valuable securities, without specifying the coin, number, denomination or kind thereof.

[1891 c 28 § 38; Code 1881 § 1023; RRS § 2074.]

NOTES:

Larceny: Chapter 9A.56 RCW.

Ownership of property, proof of: RCW 9A.56.060.

RCW 9A.72.150

Tampering with physical evidence.

(1) A person is guilty of tampering with physical evidence if, having reason to believe that an official proceeding is pending or about to be instituted and acting without legal right or authority, he or she:

(a) Destroys, mutilates, conceals, removes, or alters physical evidence with intent to impair its appearance, character, or availability in such pending or prospective official proceeding; or

(b) Knowingly presents or offers any false physical evidence.

(2) "Physical evidence" as used in this section includes any article, object, document, record, or other thing of physical substance.

(3) Tampering with physical evidence is a gross misdemeanor.

[2011 c 336 § 397; 1975 1st ex.s. c 260 § 9A.72.150.]

Destruction, injury, secretion, etc., of property.

Any person, who, with intent to defraud or prejudice the insurer thereof, burns or in any manner injures, destroys, secretes, abandons, or disposes of any property which is insured at the time against loss or damage by fire, theft, embezzlement, or any other casualty, whether the same be the property of or in the possession of such person or any other person, under circumstances not making the offense arson in the first degree, is guilty of a class C felony.

[1995 c 285 § 19; 1965 ex.s. c 70 § 25; 1947 c 79 § .30.22; Rem. Supp. 1947 § 45.30.22.]

NOTES:

Effective date—1995 c 285: See RCW 48.30A.900.

Consistently deny my access to my sole & separate property with threats of filing "violent legal action" which would affect my access to my children. This amounts to extortion.

I requested to schedule a convenient day to meet an insurance adjuster at the property with Keith Glanzer as well as requested my personal property - This request was denied, using a false application of 26.50 statutes to threaten me, deny me rights to my sole & separate property, rents, profits, enjoyment & safety from "seizure" without due process.

I have a claim # but can not meet the insurance adjuster because Keith Glanzer continues to deny my rights under threats of further malicious filings such as the original Aug 14, 2017 filings.

Statement of what one does not know to be true.

Every unqualified statement of that which one does not know to be true is equivalent to a statement of that which he or she knows to be false.

[2011 c 336 § 394; 1975 1st ex.s. c 260 § 9A.72.080.]

Trading in special influence.

(1) A person is guilty of trading in special influence if:

(a) He or she offers, confers, or agrees to confer any pecuniary benefit upon another person pursuant to an agreement or understanding that such other person will offer or confer a benefit upon a public servant or procure another to do so with intent thereby to secure or attempt to secure a particular result in a particular matter; or

(b) He or she requests, accepts, or agrees to accept any pecuniary benefit pursuant to an agreement or understanding that he or she will offer or confer a benefit upon a public servant or procure another to do so with intent thereby to secure or attempt to secure a particular result in a particular matter.

(2) Trading in special influence is a class C felony.

[2011 c 336 § 390; 1975 1st ex.s. c 260 § 9A.68.050.]

Perjury—Subornation of perjury—Description of matter.

In an indictment or information for perjury, or subornation of perjury, it is sufficient to set forth the substance of the controversy or matter in respect to which the crime was committed, and in what court or before whom the oath alleged to be false was taken, and that the court or person before whom it was taken had authority to administer it, with proper allegations of the falsity of the matter on which the perjury is assigned; but the indictment or information need not set forth the pleadings, record or proceedings with which the oath is connected, nor the commission or authority of the court or person before whom the perjury was committed.

[1891 c 28 § 36; Code 1881 § 1021; 1873 p 228 § 204; 1869 p 243 § 199; 1854 p 112 § 67; RRS § 2072.]

NOTES:

Perjury: Chapter 10.57 RCW.

RCW 4.24.355

Action by person removed from premises pursuant to RCW 9A.52.105—Damages, costs, attorneys' fees.

All persons removed from premises pursuant to RCW 9A.52.105 on the basis of false statements made by a declarant pursuant to RCW 9A.52.115 shall have a cause of action to recover from the declarant for actual damages, together with costs and reasonable attorneys' fees.

[2017 c 284 § 3.]

Inference of intent.

In any prosecution for burglary, any person who enters or remains unlawfully in a building may be inferred to have acted with intent to commit a crime against a person or property therein, unless such entering or remaining shall be explained by evidence satisfactory to the trier of fact to have been made without such criminal intent.

[1975 1st ex.s. c 260 § 9A.52.040.]

Perjury in the first degree.

(1) A person is guilty of perjury in the first degree if in any official proceeding he or she makes a materially false statement which he or she knows to be false under an oath required or authorized by law.

(2) Knowledge of the materiality of the statement is not an element of this crime, and the actor's mistaken belief that his or her statement was not material is not a defense to a prosecution under this section.

(3) Perjury in the first degree is a class B felony.

[2011 c 336 § 391; 1975 1st ex.s. c 260 § 9A.72.020.]

Injury to person or intention concerning.

When the crime involves the commission of, or an attempt to commit a private injury, and is described with sufficient certainty in other respects to identify the act, an erroneous allegation as to the person injured or intended to be injured is not material.

[Code 1881 § 1010; 1873 p 226 § 193; 1869 p 241 § 188; RRS § 2061.]

Definitions.

In this title unless a different meaning plainly is required:

- (1) "Acted" includes, where relevant, omitted to act;
- (2) "Actor" includes, where relevant, a person failing to act;
- (3) "Benefit" is any gain or advantage to the beneficiary, including any gain or advantage to a third person pursuant to the desire or consent of the beneficiary;
- (4)(a) "Bodily injury," "physical injury," or "bodily harm" means physical pain or injury, illness, or an impairment of physical condition;
- (b) "Substantial bodily harm" means bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily part or organ, or which causes a fracture of any bodily part;
- (c) "Great bodily harm" means bodily injury which creates a probability of death, or which causes significant serious permanent disfigurement, or which causes a significant permanent loss or impairment of the function of any bodily part or organ;
- (5) "Building," in addition to its ordinary meaning, includes any dwelling, fenced area, vehicle, railway car, cargo container, or any other structure used for lodging of persons or for carrying on business therein, or for the use, sale, or deposit of goods; each unit of a building consisting of two or more units separately secured or occupied is a separate building;
- (6) "Deadly weapon" means any explosive or loaded or unloaded firearm, and shall include any other weapon, device, instrument, article, or substance, including a "vehicle" as defined in this section, which, under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or substantial bodily harm;
- (7) "Dwelling" means any building or structure, though movable or temporary, or a portion thereof, which is used or ordinarily used by a person for lodging;
- (8) "Government" includes any branch, subdivision, or agency of the government of this state and any county, city, district, or other local governmental unit;
- (9) "Governmental function" includes any activity which a public servant is legally authorized or permitted to undertake on behalf of a government;
- (10) "Indicted" and "indictment" include "informed against" and "information", and "informed against" and "information" include "indicted" and "indictment";
- (11) "Judge" includes every judicial officer authorized alone or with others, to hold or preside over a court;
- (12) "Malice" and "maliciously" shall import an evil intent, wish, or design to vex, annoy, or injure another person. Malice may be inferred from an act done in willful disregard of the rights of another, or an act wrongfully done without just cause or excuse, or an act or omission of duty betraying a willful disregard of social duty;
- (13) "Officer" and "public officer" means a person holding office under a city, county, or state government, or the federal government who performs a public function and in so doing is vested with the exercise of some sovereign power of government, and includes all assistants, deputies, clerks, and employees of any public officer and all persons lawfully exercising or assuming to exercise any of the powers or functions of a public officer;
- (14) "Omission" means a failure to act;
- (15) "Peace officer" means a duly appointed city, county, or state law enforcement officer;
- (16) "Pecuniary benefit" means any gain or advantage in the form of money, property, commercial interest, or anything else the primary significance of which is economic gain;
- (17) "Person," "he or she," and "actor" include any natural person and, where relevant, a corporation, joint stock association, or an unincorporated association;
- (18) "Place of work" includes but is not limited to all the lands and other real property of a farm or ranch in the case of an actor who owns, operates, or is employed to work on such a farm or ranch;
- (19) "Prison" means any place designated by law for the keeping of persons held in custody under process of law, or under lawful arrest, including but not limited to any state correctional institution or any county or city jail;

Trafficking.

(1) A person is guilty of trafficking in the first degree when:

(a) Such person:

(i) Recruits, harbors, transports, transfers, provides, obtains, buys, purchases, or receives by any means another person knowing, or in reckless disregard of the fact, (A) that force, fraud, or coercion as defined in RCW 9A.36.070 will be used to cause the person to engage in:

(I) Forced labor;

(II) Involuntary servitude;

(III) A sexually explicit act; or

(M) A commercial sex act, or (B) that the person has not attained the age of eighteen years and is caused to engage in a sexually explicit act or a commercial sex act; or

~~*(ii) Benefits financially or by receiving anything of value from participation in a venture that has engaged in acts set forth in (a)(i) of this subsection; and~~

(b) The acts or venture set forth in (a) of this subsection:

~~*(i) Involve committing or attempting to commit kidnapping;~~

(ii) Involve a finding of sexual motivation under RCW 9.94A.835;

(iii) Involve the illegal harvesting or sale of human organs; or

(iv) Result in a death.

(2) Trafficking in the first degree is a class A felony.

(3)(a) A person is guilty of trafficking in the second degree when such person:

(i) Recruits, harbors, transports, transfers, provides, obtains, buys, purchases, or receives by any means another person knowing, or in reckless disregard of the fact, that force, fraud, or coercion as defined in RCW 9A.36.070 will be used to cause the person to engage in forced labor, involuntary servitude, a sexually explicit act, or a commercial sex act, or that the person has not attained the age of eighteen years and is caused to engage in a sexually explicit act or a commercial sex act; or

~~*(ii) Benefits financially or by receiving anything of value from participation in a venture that has engaged in acts set forth in (a)(i) of this subsection.~~

(b) Trafficking in the second degree is a class A felony.

(4)(a) In any prosecution under this chapter in which the offense or degree of the offense depends on the victim's age, it is not a defense that the perpetrator did not know the victim's age, or that the perpetrator believed the victim to be older, as the case may be.

(b) A person who is either convicted or given a deferred sentence or a deferred prosecution or who has entered into a statutory or nonstatutory diversion agreement as a result of an arrest for a violation of a trafficking crime shall be assessed a ten thousand dollar fee.

(c) The court shall not reduce, waive, or suspend payment of all or part of the fee assessed in this section unless it finds, on the record, that the offender does not have the ability to pay the fee in which case it may reduce the fee by an amount up to two-thirds of the maximum allowable fee.

(d) Fees assessed under this section shall be collected by the clerk of the court and remitted to the treasurer of the county where the offense occurred for deposit in the county general fund, except in cases in which the offense occurred in a city or town that provides for its own law enforcement, in which case these amounts shall be remitted to the treasurer of the city or town for deposit in the general fund of the city or town. Revenue from the fees must be used for local efforts to reduce the commercial sale of sex including, but not limited to, increasing enforcement of commercial sex laws.

(i) At least fifty percent of the revenue from fees imposed under this section must be spent on prevention, including education programs for offenders, such as john school, and rehabilitative services, such as mental health and substance abuse counseling, parenting skills, training, housing relief, education, vocational training, drop-in centers, and employment counseling.

(ii) Revenues from these fees are not subject to the distribution requirements under RCW 3.50.100, 3.62.020, 3.62.040, 10.82.070, or 35.20.220.

(5) If the victim of any offense identified in this section is a minor, force, fraud, or coercion are

does not constitute a defense.

(6) For purposes of this section:

(a) "Commercial sex act" means any act of sexual contact or sexual intercourse, both as defined in chapter **9A.44** RCW, for which something of value is given or received by any person; and

(b) "Sexually explicit act" means a public, private, or live photographed, recorded, or videotaped act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons for which something of value is given or received.

[**2017 c 126 § 1**; **2014 c 188 § 1**; **2013 c 302 § 6**. Prior: **2012 c 144 § 2**; **2012 c 134 § 1**; **2011 c 111 § 1**; **2003 c 267 § 1**.]

NOTES:

Effective date—2013 c 302: See note following RCW **9.68A.090**.

RCW 4.92.130**Tortious conduct of state—Liability account—Purpose.**

A liability account in the custody of the treasurer is hereby created as a nonappropriated account to be used solely and exclusively for the payment of liability settlements and judgments against the state under 42 U.S.C. Sec. 1981 et seq. or for the tortious conduct of its officers, employees, and volunteers and all related legal defense costs.

(1) The purpose of the liability account is to: (a) Expediently pay legal liabilities and defense costs of the state resulting from tortious conduct; (b) promote risk control through a cost allocation system which recognizes agency loss experience, levels of self-retention, and levels of risk exposure; and (c) establish an actuarially sound system to pay incurred losses, within defined limits.

(2) The liability account shall be used to pay claims for injury and property damages and legal defense costs exclusive of agency-retained expenses otherwise budgeted.

(3) No money shall be paid from the liability account, except for defense costs, unless all proceeds available to the claimant from any valid and collectible liability insurance shall have been exhausted and unless:

- (a) The claim shall have been reduced to final judgment in a court of competent jurisdiction; or
- (b) The claim has been approved for payment.

(4) The liability account shall be financed through annual premiums assessed to state agencies, based on sound actuarial principles, and shall be for liability coverage in excess of agency-budgeted self-retention levels.

(5) Annual premium levels shall be determined by the risk manager. An actuarial study shall be conducted to assist in determining the appropriate level of funding.

(6) Disbursements for claims from the liability account shall be made to the claimant, or to the clerk of the court for judgments, upon written request to the state treasurer from the risk manager.

(7) The director may direct agencies to transfer moneys from other funds and accounts to the liability account if premiums are delinquent.

(8) The liability account shall not exceed fifty percent of the actuarial value of the outstanding liability as determined annually by the office of risk management. If the account exceeds the maximum amount specified in this section, premiums may be adjusted by the office of risk management in order to maintain the account balance at the maximum limits. If, after adjustment of premiums, the account balance remains above the limits specified, the excess amount shall be prorated back to the appropriate funds.

[2011 1st sp.s. c 43 § 513; 2009 c 560 § 15; 2002 c 332 § 14; 1999 c 163 § 1; 1991 sp.s. c 13 § 92; 1989 c 419 § 4; 1985 c 217 § 3; 1975 1st ex.s. c 126 § 3; 1969 c 140 § 1; 1963 c 159 § 7.]

NOTES:

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

Intent—Effective date—Disposition of property and funds—Assignment/delegation of contractual rights or duties—2009 c 560: See notes following RCW 18.06.080.

Intent—Effective date—2002 c 332: See notes following RCW 43.19.760.

- **Transfer of funds—Fund abolished—1999 c 163:** "Money . . . in the tort claims revolving fund shall be deposited in the liability account on July 1, 1999, to be used for payment of settlements, judgments, and legal defense costs as provided in RCW 4.92.130." [1999 c 163 § 2.]

Effective date—1999 c 163: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 1999." [1999 c 163 § 10.]

Effective dates—Severability—1991 s.p.s. c 13: See notes following RCW 18.08.240.

Transfer of funds—Fund abolished—1989 c 419: "Moneys in the tort claims revolving fund shall be deposited in the liability account to be used for payment of liabilities incurred before July 1, 1989. The tort claim revolving fund is abolished." [1989 c 419 § 13.]

Intent—Effective date—1989 c 419: See notes following RCW 4.92.006.

Severability—1969 c 140: "If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [1969 c 140 § 5.]

Actions against regents, trustees, etc., of institutions of higher education or educational boards, payments of obligations from liability account: RCW 28B.10.842.

Department of enterprise services to conduct actuarial studies: RCW 43.19.778.

RCW 4.92.150**Compromise and settlement of claims by attorney general.**

After commencement of an action in a court of competent jurisdiction upon a claim against the state, or any of its officers, employees, or volunteers arising out of tortious conduct or pursuant to 42 U.S.C. Sec. 1981 et seq., or against a foster parent that the attorney general is defending pursuant to RCW 4.92.070, or upon petition by the state, the attorney general, with the prior approval of the office of risk management and with the approval of the court, following such testimony as the court may require, may compromise and settle the same and stipulate for judgment against the state, the affected officer, employee, volunteer, or foster parent.

[2011 1st sp.s. c 43 § 514; 2002 c 332 § 15; 1989 c 403 § 4. Prior: 1985 c 217 § 5; 1985 c 188 § 9; 1979 ex.s. c 144 § 2; 1975 1st ex.s. c 126 § 5; 1963 c 159 § 9.]

NOTES:

Effective date—Purpose—2011 1st sp.s. c 43: See notes following RCW 43.19.003.

Intent—Effective date—2002 c 332: See notes following RCW 43.19.760.

Findings—1989 c 403: See note following RCW 4.92.060.

RCW 4.24.005**Tort actions—Attorneys' fees—Determination of reasonableness.**

Any party charged with the payment of attorney's fees in any tort action may petition the court not later than forty-five days of receipt of a final billing or accounting for a determination of the reasonableness of that party's attorneys' fees. The court shall make such a determination and shall take into consideration the following:

- (1) The time and labor required, the novelty and difficulty of the questions involved, and the skill requisite to perform the legal service properly;
- (2) The likelihood, if apparent to the client, that the acceptance of the particular employment will preclude other employment by the lawyer;
- (3) The fee customarily charged in the locality for similar legal services;
- (4) The amount involved and the results obtained;
- (5) The time limitations imposed by the client or by the circumstances;
- (6) The nature and length of the professional relationship with the client;
- (7) The experience, reputation, and ability of the lawyer or lawyers performing the services;
- (8) Whether the fee is fixed or contingent;
- (9) Whether the fixed or contingent fee agreement was in writing and whether the client was aware of his or her right to petition the court under this section;
- (10) The terms of the fee agreement.

[1987 c 212 § 1601; 1986 c 305 § 201.]

NOTES:

Application—1987 c 212 § 1601: "Section 1601 of this act applies to agreements for attorneys' fees entered into after April 29, 1987." [1987 c 212 § 1602.]

Application—1986 c 305 § 201: "Section 201 of this act applies to agreements for attorney's fees entered into after June 11, 1986." [1986 c 305 § 202.]

Preamble—Report to legislature—Severability—1986 c 305: See notes following RCW 4.16.160.