



## Legislation Details (With Text)

**File #:** 2023-0174      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 4/18/2023      **In control:** Government Accountability and Oversight Committee

**On agenda:**      **Final action:** 5/16/2023

**Enactment date:** 5/22/2023      **Enactment #:** 19612

**Title:** AN ORDINANCE relating to the servicing of summons and processing of lawsuits by King County; and amending Ordinance 13, as amended, and K.C.C. 2.04.010 and Ordinance 3581 Section 9, as amended, and K.C.C. 2.21.080.

**Sponsors:** Dave Upthegrove

**Indexes:**

**Code sections:** 2.04.010 - \*, 2.21.080 - .

**Attachments:** 1. Ordinance 19612, 2. 2023-0174\_AMD1\_Typo\_LangConsist\_Final, 3. 2023-0174\_AMD1\_CodeTypo\_Final, 4. 2023-0174\_ServiceofSummons\_SR\_Final, 5. 2023-0174\_Revised\_SR\_ServiceofSummons

| Date      | Ver. | Action By   | Action                                 | Result |
|-----------|------|---|--|--------|
| 5/16/2023 | 2    | Metropolitan King County Council                  | Passed                                 | Pass   |
| 5/9/2023  | 1    | Government Accountability and Oversight Committee | Recommended Do Pass Substitute Consent | Pass   |
| 4/18/2023 | 1    | Metropolitan King County Council                  | Introduced and Referred                |        |

Clerk 05/09/2023

AN ORDINANCE relating to the servicing of summons and processing of lawsuits by King County; and amending Ordinance 13, as amended, and K.C.C. 2.04.010 and Ordinance 3581 Section 9, as amended, and K.C.C. 2.21.080.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 13, as amended, and K.C.C. 2.04.010 is hereby amended as follows:

A. For the purpose of service of summons on King County under provisions of RCW 4.28.080, the person to be served is the ~~((clerk of the county council))~~ manager of the records and licensing services division.

~~B.((1. A During a period of an emergency proclaimed by the executive, and as directed by the chair of the council in writing and until the emergency provisions for acceptance of service are ended in accordance with subsection B.4. of this section, the clerk of the council))~~ The manager of the records and licensing division

shall accept service by:

~~((a.)) 1. ((e))~~ Email to (~~clerkemergencyprocess@kingcounty.gov~~)  
kcserviceofsummons@kingcounty.gov <mailto:kcserviceofsummons@kingcounty.gov>; or  
~~((b. the U.S. postal service))~~ In person Monday through Friday from 8:30 a.m. to 4:30 p.m. at the King  
County Customer Service Center, 201 South Jackson Street, Room 202, Seattle, Washington, 98104.

~~((2. The clerk of the council shall post the email address in subsection B.1.a. of this section on the  
county council's home web page during the period described in subsection B.1. of this section.~~

~~3. If directed by the chair of the council to accept service in accordance with this subsection B.1. of  
this section, the clerk of the council shall notify in writing, by email and letter, the Washington State Bar  
Association and the King County Bar Association of activation of the emergency service of process provisions  
described in subsection B.1. of this section.~~

~~4. The clerk of the council shall accept service by email or the U.S. postal service in accordance with  
this subsection until either the executive terminates the proclamation of the emergency or the chair of the  
council rescinds the direction.)~~

SECTION 2. Ordinance 3581 section 9, as amended, and K.C.C. 2.21.080 is hereby amended as  
follows:

A. Service of a summons and complaint shall be as provided in K.C.C. 2.04.010. Any county official  
or employee who is served with a summons and complaint in a lawsuit against the county or against any of its  
officials, employees or agents alleged to be acting in their official capacities shall immediately ~~((deliver))~~  
forward the summons and complaint to the ~~((clerk of the council))~~ office of the manager of the records and  
licensing services division at kcserviceofsummons@kingcounty.gov.

B. The ~~((clerk of the council))~~ manager of the records and licensing services division, upon ~~((accepting  
)~~ receiving service of the summons and complaint shall immediately ~~((deliver))~~ forward the summons and  
complaint to the civil division. The civil division shall docket the lawsuit and ~~((send))~~ forward a copy of the  
summons and complaint to the involved department and to the office of risk management services for lawsuits  
covered by the risk management fund.

C. The prosecuting attorney shall defend, or provide for the defense of, all lawsuits against the county

or any of its officials, employees or agents, acting in good faith with no reasonable cause to believe the conduct was unlawful and within the scope of the county officer, employee or agent's service to or employment with the county, as long as the individuals discharge their obligations in K.C.C. 2.21.060.

D. Final authority for settlement of self-insured lawsuits shall be as follows:

1. The risk manager, acting with the advice of the civil division, may authorize settlements of one hundred thousand dollars or less; and
2. The executive, acting with the advice of the civil division and the risk manager, may authorize settlements of more than one hundred thousand dollars.