

**Severability.** SEC. 33. 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.

**Effective date.** SEC. 34. The effective date of this act is July 1, 1963.

**Repeal.** SEC. 35. Sections 15.16.010 through 15.16.490, chapter 11, Laws of 1961, and RCW 15.16.010 through 15.16.490 are hereby repealed.

Passed the House March 13, 1963.

Passed the Senate March 12, 1963.

Approved by the Governor March 25, 1963.

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## CHAPTER 123.

[ H. B. 255. ]

### JUSTICE COURTS—SMALL CLAIMS.

AN ACT relating to small claims in justice courts; amending section 1, chapter 187, Laws of 1919 and RCW 12.40.010; and amending section 3, chapter 187, Laws of 1919 and RCW 12.40.030.

*Be it enacted by the Legislature of the State of Washington:*

RCW 12.40.010  
amended.

SECTION 1. Section 1, chapter 187, Laws of 1919 and RCW 12.40.010 are each amended to read as follows:

Justice courts  
—Small claims  
department.  
Authorized.

That in every justice court of this state there shall be created and organized by the justice of the peace thereof a department to be known as the "small claims department of the justice's court", which shall have jurisdiction, but not exclusive, in cases for the recovery of money only where the amount claimed does not exceed fifty dollars.

SEC. 2. Section 3, chapter 187, Laws of 1919 and RCW 12.40.030 are each amended to read as follows:  
RCW 12.40.030 amended.

Upon filing said claim such justice of the peace shall appoint a time for the hearing of said matter and shall cause to be issued a notice of the claim, as hereinafter provided, which shall be served upon the defendant.  
Setting case for hearing— Fees.

Said justice of the peace shall collect in advance upon each claim the sum of one dollar, and this shall be the only fee for such justice of the peace to be charged or taxed against the plaintiff in such action during the pendency or disposition of said claim: *Provided, however,* That when any such “small claims department” shall be created and organized in any justice court as herein provided, in which the justice is not paid a salary, he may be paid as compensation for conducting such department from the county treasury of his county such monthly salary as the county court and commissioners of said county shall deem just and proper.  
Proviso.

Passed the House March 14, 1963.

Passed the Senate March 14, 1963.

Approved by the Governor March 25, 1963.