

**RAP 8.4**  
**QUALIFICATIONS—ENCUMBRANCE**

**(a) Who May Be Surety.** An individual who is a resident of this state or a surety company authorized to conduct a surety business in this state may be a surety on a bond. A party may not act as a surety.

**(b) Qualifications.** The bond given by an individual surety must be accompanied by an affidavit signed by the individual affirming that (1) the surety is a resident of this state, and (2) the surety alone has or, if two or more individuals together are acting as sureties, then the sureties together have a net worth, excluding property exempt from execution, consisting of assets located in this state, equal to at least twice the penalty in the bond. The affidavit must contain a description of the assets and liabilities of the surety reasonably sufficient to identify them and state the values or amounts thereof. Any party may obtain discovery from another party or the surety or sureties concerning the values and amounts of assets and liabilities stated in the affidavit.

**(c) [Reserved. See rule 8.1(d).]**

**(d) Encumbrance of Property.** The court may order an individual who is a surety on a bond to encumber his or her property, or to take other action to ensure recourse to the property to satisfy the bond.

**References**

RCW 19.72.020, Individual sureties—Eligibility.

[Adopted effective July 1, 1976; Amended effective September 1, 1990.]