

# HOUSE BILL REPORT

## HB 1675

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*As Amended by the Senate*

**Title:** An act relating to civil docket priority for parties over seventy years of age or who are terminally ill.

**Brief Description:** Establishing civil docket priority for parties over seventy years of age or terminally ill.

**Sponsor(s):** Representatives Inslee, Riley, R. Meyers, Roland, Winsley, Ludwig, Orr, H. Myers and Wineberry.

**Brief History:**

Reported by House Committee on:  
Judiciary, February 15, 1991, DP;  
Passed House, March 8, 1991, 96-0;  
Amended by Senate.

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**HOUSE COMMITTEE ON  
JUDICIARY**

**Majority Report:** *Do pass.* Signed by 18 members:  
Representatives Appelwick, Chair; Ludwig, Vice Chair;  
Padden, Ranking Minority Member; Paris, Assistant Ranking  
Minority Member; Belcher; Broback; Forner; Hargrove; Inslee;  
Locke; R. Meyers; Mielke; H. Myers; Riley; Scott; Tate;  
Vance; and Wineberry.

**Staff:** Pat Shelledy (786-7149).

**Background:** Due to court congestion and backlog, civil cases may not go to trial for several months or even years. Unless a specific statute directs the court to set a hearing or trial within a specific time period, the court is not required to give any particular civil case priority on the trial docket. In some cases, elderly or terminally ill litigants die before their cases go to trial.

**Summary of Bill:** When setting civil cases for trial, unless otherwise provided by statute, upon motion of a party, the court must give priority to cases in which a party is frail and over 70 years of age or is suffering from a terminal illness.

**EFFECT OF SENATE AMENDMENT:** The word "shall" is changed to "may" so the court may give the case priority, rather than shall give the case priority.

**Fiscal Note:** Not requested.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Testimony For:** Due to civil case backlog, people who are terminally ill or who are old and frail may die before their cases get to trial. This bill will expedite trials for those people who need it.

**Testimony Against:** None.

**Witnesses:** Michele Radosevich, Washington State Trial Lawyers Association (in favor).

**VOTE ON FINAL PASSAGE:**

Yeas 96; Nays 0; Excused 2

Excused: Representative Ogden and Mr. Speaker.