

# SENATE BILL REPORT

## SSB 5522

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As Passed Senate, January 17, 1996

**Title:** An act relating to the use of pro tempore judges and court commissioners.

**Brief Description:** Regulating the use of pro tempore judges and court commissioners.

**Sponsors:** Senate Committee on Law & Justice (originally sponsored by Senators Smith, Roach, C. Anderson and Johnson).

**Brief History:**

**Committee Activity:** Law & Justice: 2/15/95, 2/20/95 [DPS]; 1/11/96 [DP].  
Passed Senate, 3/10/95, 46-0; 1/17/96, 48-0.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Hargrove, Haugen, Johnson, Long, McCaslin, Roach and Schow.

**Staff:** Lidia Mori (786-7755)

**Background:** Each district court is directed to designate one or more persons as judges pro tempore who will serve during the temporary absence, disqualification, or incapacity of a district judge. There is concern that the statute allowing the designation of judges pro tempore is unnecessarily narrow, and impedes the use of judges pro tempore in other appropriate circumstances.

**Summary of Bill:** Each district court is directed to designate one or more persons as judges pro tempore who will serve during the temporary absence, disqualification, incapacity of a district judge, or for excess caseload or special set cases. No reduction in the annual salary of the district judge occurs when a judge pro tempore serves as an additional judge for excess case load, special set cases or while a district judge is involved in administrative, educational, or judicial functions. The appointment of judges pro tempore is subject to an appropriation by the county legislative authority.

Municipal court commissioners may be appointed by the judges of a city when authorized by the city legislative authority.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** This bill passed this committee last year. The District and Municipal Court Judges Association strongly support it. It is discretionary so there is no problem as far as it being an unfunded mandate.

**Testimony Against:** None.

**Testified:** Judge McCarthy, District and Municipal Court Judges Association (pro); Curt Sharar, WA State Association of Counties (pro).