

FINAL BILL REPORT

SSJR 8210

As Passed Legislature

Brief Description: Revising size and leadership of the state supreme court.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Smith, McCaslin, Gaspard, Deccio, Wojahn, Snyder, Haugen, Morton, Long, Hale, Rinehart, Newhouse, Loveland, McDonald, Palmer, Bauer, Oke and Winsley; by request of Supreme Court).

Senate Committee on Law & Justice

House Committee on Law & Justice

Background: The State Constitution provides that the number of judges of the Supreme Court shall be five, but allows the Legislature to increase that number. Since 1909, the number of judges of the Supreme Court has been set by statute at nine. Judges of the Supreme Court are elected to six-year terms.

The State Constitution directs that the Chief Justice of the Supreme Court is to preside over all sessions of the Supreme Court. The Constitution also calls for the Chief Justice to preside in the Senate over impeachment trials of the Governor or Lieutenant Governor. A variety of statutes also gives responsibility and authority to the Chief Justice. For instance, the Chief Justice is given authority over the operation of the Office of the Administrator for the Courts.

The State Constitution prescribes the method for selecting the Chief Justice of the Supreme Court. The regularly elected judge of the Supreme Court having the shortest term left to serve is the Chief Justice. If two judges have the same shortest term left to serve, the other judges of the court must pick the Chief Justice. In the absence of the Chief Justice, the judge with the next shortest term is to preside over the court.

Summary: The State Constitution is amended to change the method of selection of the Chief Justice.

A majority of the judges of the Supreme Court must select one of the judges to be the Chief Justice for a four-year term. The Chief Justice serves at the pleasure of a majority of the court. The court is given rule-making authority over the process of selecting or removing a Chief Justice. In the absence of a Chief Justice, a majority of the remaining judges selects an acting Chief Justice.

Votes on Final Passage:

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| Senate | 40 | 6 |
| House | 68 | 23 |

Effective: Upon voter approval at November 1995 general election