

HOUSE BILL REPORT

HB 2131

As Reported by House Committee On: Judiciary

Title: An act relating to increasing the number of superior court judges in Mason county.

Brief Description: Increasing the number of superior court judges in Mason county.

Sponsors: Representatives Haigh, MacEwen, Ross and Jinkins; by request of Board For Judicial Administration.

Brief History:

Committee Activity:

Judiciary: 1/16/14, 1/21/14 [DP].

Brief Summary of Bill

- Raises the number of statutorily authorized superior court judges in Mason County from two to three.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 12 members: Representatives Jinkins, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; Nealey, Assistant Ranking Minority Member; Goodman, Haler, Kirby, Klippert, Muri, Orwall, Roberts and Walkinshaw.

Minority Report: Do not pass. Signed by 1 member: Representative Shea.

Staff: Omeara Harrington (786-7136).

Background:

The number of superior court judges in each county is set by statute. Any change in the number of full- and part-time judges in a county's superior court is determined by the Legislature after receiving a recommendation from the Board for Judicial Administration (BJA). The BJA's recommendation is based on an objective workload analysis developed annually by the Administrative Office of the Courts (AOC). The objective workload analysis takes into account available judicial resources and the caseload activity of the court.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The state and the county share the cost of superior court judges. In order for an additional judicial position to become effective, the legislative authority of the affected county must approve the position and agree to pay the expenses associated with the new position out of county funds and without reimbursement from the state.

Mason County has two elected superior court judges. According to the AOC's objective workload analysis, an increase in the number of superior court judges in Mason County is recommended.

Summary of Bill:

The number of statutorily authorized superior court judges in Mason County is increased from two to three. This new position becomes effective only if the legislative authority of Mason County approves the position and agrees that the county will pay its share of the cost of the position without reimbursement from the state.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This is Board for Judicial Administration request legislation. The Administrative Office of the Courts prepares a judicial needs estimate based on a five-year average of cases. Mason County needs 2.86 judges; it currently has two judges and one commissioner, but commissioners have limited authority and cannot preside over trials. The needs estimate is not a perfect measure. For instance, the estimate does not adjust for how long cases actually take.

This is an access to justice issue. The trial volume has increased greatly over the years. Last year Mason County had 53 criminal trials. Civil and domestic cases, including cases involving children, are not being heard in a timely manner because criminal trials have to take priority. This creates hardships for the parties, the witnesses, and the court. Mason County has taken great strides to reduce civil congestion. Non-trial matters are scheduled early in the morning in order to fit them in. Court rules were adopted requiring mediation before receiving a trial date, which has reduced the overall amount of litigation. Still, it often takes a year and a half to have a civil case heard, and attorneys have to re-prepare at client expense every time a trial is delayed. Criminal cases are also delayed.

(Opposed) None.

Persons Testifying: Representative Haigh, prime sponsor; Mellani McAleenan, Board for Judicial Administration; Amber Finlay, Mason County Superior Court; Dan Goodell; Ginger Brooks, Mason County Clerk's Office; and Susan Sergiojan, Mason County Public Defender.

Persons Signed In To Testify But Not Testifying: None.