

HOUSE BILL REPORT

HB 1127

*As Reported By House Committee on:
Judiciary
Appropriations*

Title: An act relating to superior courts.

Brief Description: Adding superior court judge positions.

Sponsor(s): Representatives Sheldon, Hargrove, Appelwick, Forner, Paris, Vance, Scott, Wineberry, Jacobsen, Chandler, Wood, P. Johnson, Roland, R. Johnson, Haugen, Cantwell, Jones, May, Zellinsky, Brough, Basich, Lisk, Mitchell, Wynne, Miller, Moyer, Brekke and Sprenkle.

Brief History:

Reported by House Committee on:
Judiciary, February 6, 1991, DPS;
Appropriations, March 9, 1991, DPS(JUD)-A.

**HOUSE COMMITTEE ON
JUDICIARY**

Majority Report: *That Substitute House Bill No. 1127 be substituted therefor, and the substitute bill do pass.* Signed by 16 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Broback; Forner; Hargrove; Inslee; R. Meyers; Mielke; H. Myers; Riley; Scott; D. Sommers; Tate; Vance; and Wineberry.

Staff: Bill Perry (786-7123).

Background: The Legislature sets by statute the number of superior court judges in each county. Periodically, the office of the Administrator for the Courts conducts a weighted caseload study to determine the need for additional judges in the various counties.

Retirement system benefits and one-half of the salary of a superior court judge are paid by the state. The other half of the judge's salary and all other costs associated with a judicial position, such as capital and support staff costs, are borne by the county. A statute also requires that the county hire a stenographic court reporter for each superior court judge, although for the last several years, new

judicial positions have been exempted from this requirement each time they have been created.

As a way to help relieve pressure on superior courts, the Legislature has authorized courts to use mandatory arbitration in any civil action in which the sole relief sought is a money judgment of up to \$35,000.

Summary of Substitute Bill: The numbers of superior court judges in four counties are increased as follows:

- o King County - from 46 to 58;
- o Grays Harbor County - from two to three;
- o Snohomish County - from 11 to 13;
- o Mason County - from one to two.

The 12 new positions in King County may be phased in by the county between July 1, 1991 and July 1, 1995. The new position in Grays Harbor County takes effect January 1, 1992; the new positions in Snohomish County take effect July 1, 1992, and January 1, 1993; and the new position in Mason County takes effect July 1, 1991.

In each county the positions become effective only if the county legislative authority documents its approval of the positions and agrees to pay the county's share of the costs of the new positions. The positions are also dependent on the superior court in each county adopting mandatory arbitration to the fullest extent possible for civil actions involving money claims.

The new positions are all exempted from the requirement that a stenographic reporter be provided for each judge.

Substitute Bill Compared to Original Bill: The substitute bill adds one additional new judicial position in Snohomish County. It also exempts the new positions from the stenographer statute and requires the use of mandatory arbitration.

Fiscal Note: Requested January 28, 1991.

Effective Date of Substitute Bill: The bill contains several effective dates. Please refer to the bill.

Testimony For: The need for each of these new positions has been clearly demonstrated. The current overload in these counties is adversely affecting the administration of justice.

Testimony Against: None.

Witnesses: Judge Robert C. Bibb, Snohomish County Superior Court (in favor); Judge Anne Ellington, King County Superior Court (in favor); Ron Main, King County (in favor); Judges Mike Spencer and Dave Foscue, Grays Harbor Superior Court (in favor); and Mike Gibson, Mason County Commissioner (in favor).

**HOUSE COMMITTEE ON
APPROPRIATIONS**

Majority Report: *The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill as amended by Committee on Appropriations do pass.* Signed by 28 members: Representatives Locke, Chair; Inslee, Vice Chair; Spanel, Vice Chair; Silver, Ranking Minority Member; Morton, Assistant Ranking Minority Member; Appelwick; Belcher; Bowman; Brekke; Dorn; Ebersole; Ferguson; Fuhrman; Hine; Lisk; May; McLean; Mielke; Nealey; Peery; Pruitt; Rust; H. Sommers; Sprenkle; Valle; Vance; Wang; and Wineberry.

Staff: Susan Kavanaugh (786-7130).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Judiciary: Six of the 12 additional King County judges authorized must be phased in between July 1, 1993 and June 30, 1995. The two additional Snohomish County judges may be phased in over a period not to extend beyond July 1, 1995.

Fiscal Note: Available.

Effective Date of Substitute Bill as Amended: The bill contains several effective dates. Please refer to the bill.

Testimony For: The need has been demonstrated through weighted caseload studies. Other methods of coping with the growing number of cases have been tried. The local court system supports the need for these new judges.

Testimony Against: None.

Witnesses: (in favor) Ron Main, King County; Ed Laren, Snohomish County; and Mary McQueen, Administrator for the Courts.