

SENATE BILL REPORT

HB 2082

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, APRIL 3, 1991

**Brief Description:** Changing provisions relating to district court judges.

**SPONSORS:** Representative Appelwick.

**HOUSE COMMITTEE ON JUDICIARY**

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** Do pass.

Signed by Senators Nelson, Chairman; Erwin, L. Kreidler, Madsen, and A. Smith.

**Staff:** Richard Rodger (786-7461)

**Hearing Dates:** April 2, 1991; April 3, 1991

**BACKGROUND:**

Under current law, a person who is not a Washington State Bar Association member may qualify to be a candidate for district court judge by having been elected previously or, if the position is in a court district with less than 10,000 people, by passing a qualifying exam.

Under rules adopted by the state Supreme Court, decisions by district court judges who are not members of the state bar may be ignored on appeal to superior court and the case retried before a new jury.

If a person wins election to a district court position, the statute provides that he or she is granted sick leave "in the same manner as other county employees." The quoted language has been used as the basis for claiming application of accrued sick leave toward a judge's retirement benefits.

**SUMMARY:**

The population of a district court district where a lay judge can qualify by examination is dropped from 10,000 to 5,000. This change would require most district court judges to be attorneys, but would grandfather in all lay district court judges in office on the effective date of the act.

A county must grant sick leave to a district court judge if the judge becomes ill or injured. The possible implication that a judge's sick leave may be accumulated for retirement is removed.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:** None

**TESTIMONY AGAINST:** None

**TESTIFIED:** No one