

HOUSE BILL REPORT

HB 2212

As Reported By House Committee On:
Judiciary

Title: An act relating to the number of district court judges.

Brief Description: Determining the number of district court judges.

Sponsors: Representatives Eide, Padden, Appelwick, Wineberry and Johanson.

Brief History:

Reported by House Committee on:
Judiciary, January 26, 1994, DPS.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Appelwick, Chair; Johanson, Vice Chair; Padden, Ranking Minority Member; Ballasiotes, Assistant Ranking Minority Member; Campbell; Chappell; Eide; Forner; J. Kohl; Long; Morris; H. Myers; Schmidt; Scott; Tate and Wineberry.

Staff: Bill Perry (786-7123).

Background: In 1991, the combination of two bills amending the same section of law, and the Governor's partial veto of one of the bills, led to an inconsistency in the statute that determines the number of District Court judges.

In 1991, the Legislature changed the method of determining the number of District Court judges in the state. Prior to that time, the number of judges in each county was adjusted in statute each time positions were added by statute. However, judges could also be added by county action and without a statutory change. Therefore, the statute does not correctly state the number of judges in many counties. Adjustments under this prior system were based on county population figures. As part of the 1991 amendment, the base number of judges was set as of January 1, 1992. Subsequent additions of judges are to be based on a weighted caseload analysis by the Office of the Administrator for the Courts. Adding District Court judges requires legislative passage of

a law. A section of this 1991 change would have amended RCW 3.34.010 by eliminating the county-by-county listing of the number of judges and by referring to the new method of determining the number of judges. However, the Governor vetoed this section of the bill because of the passage of a conflicting bill the same session.

The other bill that also amended RCW 3.34.010 added judges in King, Pierce and Spokane Counties, and reduced the number of judges in Pacific County. In order to allow these changes, the Governor vetoed the section of the first bill that would have eliminated the county-by-county listing of numbers. As a result, the current statute incorrectly states the number of District Court judges holding office in 16 of the state's 39 counties.

Summary of Substitute Bill: RCW 3.34.010 is amended to reflect the current method of determining the number of District Court judges. The statute is also updated to correctly state the number of judges in each county.

Substitute Bill Compared to Original Bill: The original bill would have eliminated entirely the listing of the number of judges in each county.

Fiscal Note: Not requested.

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

Testimony For: The bill merely corrects a technical flaw caused by the passage of two separate bills that affected the same section of law.

Testimony Against: None.

Witnesses: Judge Kip Stilz, District and Municipal Court Judges Association (pro).