

HOUSE BILL REPORT

SB 5523

As Passed House

April 7, 1993

Title: An act relating to district court judges.

Brief Description: Expanding authority for appointment of district court judges pro tem.

Sponsors: Senators Barr, Snyder and Prince.

Brief History:

Reported by House Committee on:

Judiciary, March 30, 1993, DPA;

Passed House - Amended, April 7, 1993, 98-0.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended. Signed by 16 members: Representatives Appelwick, Chair; Ludwig, Vice Chair; Padden, Ranking Minority Member; Ballasiotes, Assistant Ranking Minority Member; Campbell; Chappell; Forner; Johanson; Long; Mastin; H. Myers; Riley; Schmidt; Scott; Tate; and Wineberry.

Staff: Bill Perry (786-7123).

Background: District Courts are organized by districts that generally coincide with county boundaries. However, counties may agree to combine for purposes of creating a joint District Court district.

In order to serve as a District Court judge, a person must be a registered voter of the District Court district. In addition, in any district with a population of at least 5,000, the person must be an attorney or must previously have been elected as a judge of a court of limited jurisdiction. In a district with a population of less than 5,000, "lay judges" are allowed. A lay judge is one who in lieu of being an attorney or former judge has passed a qualifying exam.

Prior to 1991, lay judges could serve in districts with populations of up to 10,000. In 1991, this maximum population limitation was reduced by the Legislature to 5,000.

District Courts are required to designate at least one judge "pro tem" who is to serve during the temporary absence, disqualification, or incapacity of a District Court judge. A judge pro tem must meet the same requirements as a District Court judge, except that a judge pro tem need not be a registered voter of the district, but only of the state.

Summary of Bill: Lay judges pro tem may be appointed in a District Court district with a population of 10,000 or less if there are no persons qualified as attorneys or previously elected judges available to serve as a judge pro tem.

Fiscal Note: Not requested.

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

Testimony For: Some smaller counties have difficulty finding attorneys to serve as judges pro tem.

Testimony Against: None.

Witnesses: K.O. Rosenberg, Northeast Tri-Counties (pro).