

HOUSE BILL REPORT

HB 1313

As Reported By House Committee On:

Law & Justice

Title: An act relating to superior court judges.

Brief Description: Providing for additional judges for the Pierce county superior court.

Sponsors: Representatives McDonald, Sheahan, Bush, Robertson, Conway, Lantz and Talcott.

Brief History:

Committee Activity:

Law & Justice: 2/14/97, 2/25/97 [DPS].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Sheahan, Chairman; McDonald, Vice Chairman; Sterk, Vice Chairman; Costa, Ranking Minority Member; Constantine, Assistant Ranking Minority Member; Carrell; Cody; Kenney; Lambert; Lantz; Radcliff; Sherstad and Skinner.

Staff: Edie Adams (786-7180).

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. Pierce County has 19 judges. The weighted caseload analysis by the Administrator for the Courts indicates a need, as of 1996, for an additional 8.37 judicial officers in the county.

Retirement 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.

Summary of Substitute Bill: The number of statutorily authorized judicial positions in Pierce County is increased from 19 to 24. One of the additional judicial positions will take effect January 1, 1998, two will take effect on January 1, 1999, and two will take effect on January 1, 2000.

The actual starting dates for the additional judicial positions must be established by the Pierce County Council upon request by the superior court and by recommendation of the Pierce County Executive.

Substitute Bill Compared to Original Bill: The original bill did not provide that the actual starting dates are determined by the Pierce County Council upon request by the superior court and recommendation of the Pierce County Executive.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Pierce County needs these additional judicial positions. There has been a large increase in the addition of police officers, sheriffs' deputies, prosecutors, and the number of cases going to trial. These positions need to be authorized so that they can be put into place when Pierce County and the court determine that the positions can be brought on. The state should pay the entire cost of a superior court judge, because he or she is truly an officer of the state, and it is quite costly for the counties to pay for all costs associated with bringing an additional judge on line.

Testimony Against: The Pierce County Executive is mildly opposed because the county executive was not aware of or consulted about the bill and has therefore not identified the funding necessary to implement these positions. The county cannot implement the bill according to the schedule provided.

Testified: Representative McDonald, prime sponsor; Justice Richard Guy, Washington State Supreme Court (pro); Judge Brian Tollefson, Pierce County Superior Court (pro); and Dick Dorsett, Pierce County Executive and Pierce County Council (con).