

HOUSE BILL REPORT

ESSB 6492

As Reported By House Committee On:

Law & Justice

Title: An act relating to superior court judges.

Brief Description: Creating two new superior court positions for Yakima county.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Newhouse, Deccio, Johnson, Loveland and McCaslin; by request of Board for Judicial Administration).

Brief History:

Committee Activity:

Law & Justice: 2/27/98 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: 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; Mulliken; Robertson and Sherstad.

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 analysis to determine the need for additional judges in the various counties.

Retirement benefits and one-half of the salary and other employee benefits 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.

New superior court positions are filled by gubernatorial appointment. The appointed judge must then stand for election at the next general election.

In the joint superior court for Chelan and Douglas counties, five judicial positions have been authorized, but only three positions are filled.

Summary of Bill: The number of superior court judges in three counties is increased. A two-county joint superior court is split into separate courts.

The number of judges in Yakima County is increased from six to eight. The number of judges in Clark County is increased from seven to eight. The number of judges in Lewis County is increased from two to three. In each case, the new positions take effect immediately, but upon request of the superior court, the county commissioners may set the actual starting date for the positions.

The five judicial positions (three of which are currently filled) that are authorized in the Chelan County and Douglas County joint superior court are reallocated. Four positions are authorized in Chelan County and one position is authorized in Douglas County. The three currently filled positions are allocated to Chelan County effective upon the appointment of a judge in Douglas County to one of the unfilled positions. The remaining unfilled position is allocated to Chelan County. The two authorized, but currently unfilled positions become effective only if each of the counties through its legislative authority documents its approval of the new position and agrees to pay the expenses of the position as provided for by state law.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: The new positions in Yakima, Clark, and Lewis counties are justified by analysis of the increased workload in those counties.

Testimony Against: None.

Testified: Chuck Foster, Board for Judicial Administration and Office of the Administrator for the Courts (pro); Jeffrey Amram, Clark County Superior Court (pro); and Robert Harris, Superior Court Judges Association (pro).