

# HOUSE BILL REPORT

## HB 1047

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**As Reported By House Committee On:**  
Judiciary

**Title:** An act relating to the court of appeals.

**Brief Description:** Creating a new court of appeals position for Pierce county.

**Sponsors:** Representatives Sheahan, Constantine, Kenney, Lantz, Bush, Hurst, Mitchell and McDonald; by request of Board for Judicial Administration.

**Brief History:**

**Committee Activity:**

Judiciary: 2/16/99 [DP].

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| <p><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>· Creates a new court of appeals position for Pierce County.</li></ul> |
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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 12 members: Representatives Carrell, Republican Co-Chair; Constantine, Democratic Co-Chair; Hurst, Democratic Vice Chair; Lambert, Republican Vice Chair; Cox; Dickerson; Esser; Kastama; Lantz; Lovick; McDonald and Schindler.

**Staff:** Jim Morishima (786-7191).

**Background:**

The state court of appeals is divided into three divisions. The divisions are designated as I, II, and III, and are headquartered in Seattle, Tacoma, and Spokane respectively. Each of the divisions is further subdivided into three districts.

Division II (headquartered in Tacoma) currently has six judges. District 1 of Division II (Pierce County) has two of these judges.

Judges of the court of appeals are elected by district to six-year terms. They must be residents of the districts from which they are elected, and must have been admitted to the practice of law in this state for at least five years.

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**Summary of Bill:**

The number of judges in Division II is increased from six to seven. The additional judge is allocated to District 1 of Division II, giving the district a total of three judges.

The new judicial position becomes effective on July 1, 2000, and must be filled by gubernatorial appointment. The person so appointed will hold the position until the next general election in November 2000. The person may then run for a term of six years, like any other judge of the court of appeals.

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**Appropriation:** None.

**Fiscal Note:** Requested on February 11, 1999.

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

**Testimony For:** Division II of the state court of appeals handles one-third of the state's appellate caseload. The district has the fastest growing population in the state. The district includes the city of Olympia, which results in the division hearing a large number of agency appeals. The court of appeals is a nondiscretionary court, and an extra judge is needed to keep up with the caseload.

**Testimony Against:** None.

**Testified:** Judge Elaine Houghton, Washington State Court of Appeals, Division II.