

SENATE BILL REPORT

SJR 8200

As Reported By Senate Committee On:
Judiciary, February 8, 1999

Brief Description: Amending the Constitution to remove the requirement that judges be admitted to the practice of law.

Sponsors: Senators McCaslin and Roach.

Brief History:

Committee Activity: Judiciary: 1/27/99, 2/8/99 [DPS, DNPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Joint Resolution No. 8200 be substituted therefor, and the substitute joint resolution do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Haugen, Long, McCaslin and Thibaudeau.

Minority Report: Do not pass substitute.

Signed by Senator Roach.

Staff: Dick Armstrong (786-7460)

Background: Article IV, Section 17 of the Washington Constitution provides that a person cannot be a judge of the Supreme Court or of the superior court unless the person is admitted to the practice of law in this state. In addition, various state statutes require a person to be an attorney in this state to be a judge of the Court of Appeals, district court, or municipal court. Cities and counties with less than 5,000 population may have a non-lawyer serve as a judge if the person has passed a qualifying exam prescribed by rule of the Supreme Court.

Summary of Substitute Bill: The state Constitution is amended to provide that a person cannot hold the office of superior court judge unless he or she has been admitted to the practice of law for not less than five years.

Substitute Bill Compared to Original Bill: The original bill provided that a person did not have to be admitted to the practice of law in this state to be a judge of the Supreme Court, Court of Appeals, superior court, district court, municipal court or any other court authorized by the Legislature.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Upon approval by the voters at the next general election.

Testimony For: Not applicable, given the difference between the original bill and the substitute.

Testimony Against: Not applicable, given the difference between the original bill and the substitute.

Testified: Not applicable, given the difference between the original bill and the substitute.