1   **ESB 5394** - H COMM AMD **ADOPTED 4/9/01**
2   By Committee on Judiciary
3   On page 1, beginning on line 6, strike all material through
4   "judge." on line 10 and insert "A case in the superior court of any
5   county may be tried by a judge pro tempore((, who must be)) either (1)
6   with the agreement of the parties if the judge pro tempore is a member
7   of the bar, who is agreed upon in writing by the parties litigant((,))
8   or their attorneys of record, and who is approved by the court((,)) and
9   sworn to try the case; ((and his)) or (2) without the agreement of the
10 parties if the judge pro tempore is a sitting elected judge and is
11 acting as a judge pro tempore pursuant to supreme court rule. The
12 supreme court rule must require assignments of judges pro tempore based
13 on the judges' experience and must provide for the right, exercisable
14 once during a case, to a change of judge pro tempore. Such right shall
15 be in addition to any other right provided under RCW 4.12.050."

        EFFECT: Requires the supreme court rule to take into consideration
        the experience of the judge pro tempore and provide for the right
        to change a judge pro tem. Clarifies that the right to change a
        judge pro tempore is in addition to the parties' existing right to
        file an affidavit of prejudice.