

***Judiciary Committee***

***HB 1825***

***Title:*** An act relating to nonelected judicial officers and commissioners.

***Brief Description:*** Requiring elections for certain nonelected judicial officers.

***Sponsors:*** Representatives Lambert, Hurst, Carrell and Esser.

***Brief Summary of Bill***

- *Requires appointed judicial officers and commissioners of the superior, district, and municipal courts to run for election if they have worked specified amounts of time.*

***Hearing Date:*** 2/20/01

***Staff:*** Edie Adams (786-7180).

***Background:***

*The judges of the state's superior, district, and municipal courts serve four-year terms and are generally required by statute to be elected. Statutes governing municipal court judges specify that each full-time equivalent judicial position must be filled by election, and that additional positions that are by themselves or in combination equal to more than one-half of a full-time equivalent position must be filled by election. Superior and district court judges must be elected.*

*A vacancy in a judicial position is filled by appointment with the appointed judge serving until the next general election. The appointment is made by the Governor for superior court judges, the county legislative authority for district court judges, and the mayor for municipal court judges.*

*A judge of the municipal or district court may appoint a commissioner, who holds office at the pleasure of the appointing judge. The commissioner must be a lawyer admitted to practice in Washington or a non-lawyer who has passed the exam for lay judges. The commissioner has the same power, authority, and jurisdiction as possessed by the appointing judge.*

*The state constitution grants superior court judges the power to appoint commissioners who have the authority to perform judicial duties. The powers of superior court commissioners are specified in statute, and include powers relating to probate matters, temporary restraining orders, uncontested civil matters, adoption of children, dissolution of incorporations, and small claims appeals.*

***Summary of Bill:***

*Appointed judicial officers and commissioners serving in the superior, district, or municipal courts must run for election in order to continue to serve if the judicial officers and commissioners have worked: (1) more than 24 hours per week for any consecutive 12-week period; (2) more than 24 hours per week for eight weeks during a 24-week period; or (3) more than 240 hours during any one-year period.*

*Hours worked means the hours claimed for purposes of being paid and for which the judicial officer or commissioner was paid.*

***Appropriation:*** *None.*

***Fiscal Note:*** *Requested on February 15, 2001.*

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