

# SENATE BILL REPORT

## SB 5785

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As of February 7, 2001

**Title:** An act relating to qualifications of judges.

**Brief Description:** Revising qualifications for judicial offices.

**Sponsors:** Senators Kline, Constantine, Sheahan, Kohl-Welles and Prentice.

**Brief History:**

**Committee Activity:** Judiciary: 2/8/01.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Lilah Amos (786-7421)

**Background:** To be eligible to be a Supreme Court or superior court judge, the Washington Constitution, Article IV, Section 17, requires that the judge be licensed to practice law in Washington. There is no requirement concerning the minimum length of time superior or Supreme Court judges must have been admitted to the practice of law before taking office. Currently, Court of Appeals judges are required by statute to be admitted to the practice of law in Washington for five years prior to taking office.

A proposed constitutional amendment (SJR 8212) requires that Supreme Court judges be admitted to the practice of law in Washington for 15 years before taking office, and that superior court judges be admitted to the practice of law in Washington for five years before taking office. The amendment requires that Court of Appeals judges be admitted to the practice of law for ten years, and SB 5786 changes the current statute imposing a five-year practice requirement for court of appeals judges to ten years. Making the minimum qualifications of Supreme and superior court judges a statutory requirement as well as a constitutional amendment would be consistent with placement of requirements concerning Court of Appeals qualifications.

**Summary of Bill:** Judges of the Supreme Court must be admitted to practice law in courts of record in Washington for 15 years prior to taking office. Judges of the superior court must be admitted to practice law in courts of record in Washington for five years prior to taking office. If a judge currently holding office does not meet these qualifications, the judge may complete his or her current term of office.

These statutory requirements are consistent with SJR 8212, the constitutional amendment regarding qualifications of judges. If the constitutional amendment is not ratified by the voters, this act is null and void.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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