

SENATE BILL REPORT

SB 6292

As Passed Senate, February 16, 2002

Title: An act relating to authorizing lay judicial officers.

Brief Description: Authorizing lay judicial officers.

Sponsors: Senators Kline and Johnson.

Brief History:

Committee Activity: Judiciary: 1/17/02, 1/28/02 [DP].

Passed Senate: 2/16/02, 27-19.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Kastama, Vice Chair; Costa, Johnson, Poulsen and Thibaudeau.

Staff: Dick Armstrong (786-7460)

Background: A candidate for district court judge, in addition to residency requirements, must meet one of three criteria: (1) be admitted to the practice of law in this state, or (2) be a previously elected judge of a district or municipal court, or (3) for candidates residing in districts with a population less than 5,000 persons, the candidate must have passed a qualifying examination for a district court judge. To be appointed or elected as a municipal judge, in addition to citizenship and residency requirements, a person must be admitted to the practice of law in this state or reside in a municipality of less than 5,000 population.

The Municipal and District Court Judges Association is recommending that all candidates for district and municipal court judge should be attorneys admitted to the practice of law in this state, unless the candidate resides in a district with less than 5,000 population and passes a qualifying examination.

Summary of Bill: All candidates for district and municipal court judge must be an attorney admitted to the practice of law in the state of Washington unless the candidate resides in a district or municipality with a population less than 5,000. In districts or cities with less than 5,000 population, a candidate is eligible to run for district or municipal court judge if the person has passed by January 1, 2003, the qualifying examination for a lay judicial officer.

Statutory provisions allowing non-attorney but previously elected judges of district and municipal court to be a district court judge are deleted.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The bill will not leave any jurisdiction without a judge, but will improve the quality of the judging. The public expects their cases to be heard by a judge who has the requisite education. Most people only have contact with the lower courts and it is important that the public receives professional legal services that formal legal training allows. The perception of justice is important for confidence in the court system.

Testimony Against: None.

Testified: PRO: Judge Alicia Nakata, Chelan District Court; Judge Peter Lukevich, Tukwila District Court.