
HOUSE BILL 2647

State of Washington

57th Legislature

2002 Regular Session

By Representatives Lantz, Carrell, Ogden, Benson and Rockefeller; by request of Administrator for the Courts

Read first time 01/23/2002. Referred to Committee on Judiciary.

1 AN ACT Relating to judges pro tempore; and amending RCW 2.08.180.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

3 **Sec. 1.** RCW 2.08.180 and 1987 c 73 s 1 are each amended to read as
4 follows:

5 A case in the superior court of any county may be tried by a judge
6 pro tempore, who must be either: (1) A member of the bar, agreed upon
7 in writing by the parties litigant, or their attorneys of record,
8 approved by the court, and sworn to try the case; ((and his)) or (2)
9 pursuant to supreme court rule, any sitting elected judge. Any action
10 in the trial of such cause shall have the same effect as if ((he were))
11 it was made by a judge of such court. However, if a previously elected
12 judge of the superior court retires leaving a pending case in which the
13 judge has made discretionary rulings, the judge is entitled to hear the
14 pending case as a judge pro tempore without any written agreement.

15 A judge pro tempore shall, before entering upon his or her duties
16 in any cause, take and subscribe the following oath or affirmation:

17 "I do solemnly swear (or affirm, as the case may be,) that I will
18 support the Constitution of the United States and the Constitution of
19 the State of Washington, and that I will faithfully discharge the

1 duties of the office of judge pro tempore in the cause wherein
2 is plaintiff and defendant, according to the
3 best of my ability."

4 A judge pro tempore who is a practicing attorney and who is not a
5 retired justice of the supreme court or judge of a superior court of
6 the state of Washington, or who is not an active judge of ((an
7 inferior)) a court of the state of Washington, shall receive a
8 compensation of one-two hundred ((and)) fiftieth of the annual salary
9 of a superior court judge for each day engaged in said trial, to be
10 paid in the same manner as the salary of the superior judge. A judge
11 who is an active judge of ((an inferior)) a court of the state of
12 Washington shall receive no compensation as judge pro tempore. A
13 justice or judge who has retired from the supreme court, court of
14 appeals, or superior court of the state of Washington shall receive
15 compensation as judge pro tempore in the amount of sixty percent of the
16 amount payable to a judge pro tempore under this section.

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