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SENATE BILL 6292

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State of Washington 57th Legislature

2002 Regular Session

By Senators Kline and Johnson

Read first time 01/14/2002. Referred to Committee on Judiciary.

1 AN ACT Relating to authorizing lay judicial officers; and amending  
2 RCW 3.34.060 and 3.50.040.

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

4 **Sec. 1.** RCW 3.34.060 and 1991 c 361 s 1 are each amended to read  
5 as follows:

6 To be eligible to file a declaration of candidacy for and to serve  
7 as a district court judge, a person must:

8 (1) Be a registered voter of the district court district and  
9 electoral district, if any; and

10 (2) Be either:

11 (a) A lawyer admitted to practice law in the state of Washington;

12 or

13 (b) ~~((A person who has been elected and has served as a justice of  
14 the peace, district judge, municipal judge, or police judge in  
15 Washington; or~~

16 ~~(c))~~ In those districts having a population of less than five  
17 thousand persons, a person who has taken and passed by January 1, 2003,  
18 the qualifying examination for ~~((the office of district judge))~~ a lay

1 candidate for judicial officer as (~~shall be~~) provided by rule of the  
2 supreme court.

3 **Sec. 2.** RCW 3.50.040 and 1984 c 258 s 106 are each amended to read  
4 as follows:

5 Within thirty days after the effective date of the ordinance  
6 creating the municipal court, the mayor of each city or town shall  
7 appoint a municipal judge or judges of the municipal court for a term  
8 of four years. The terms of judges serving on July 1, 1984, and  
9 municipal judges who are appointed to terms commencing before January  
10 1, 1986, shall expire January 1, 1986. The terms of their successors  
11 shall commence on January 1, 1986, and on January 1 of each fourth year  
12 thereafter, pursuant to appointment or election as provided in this  
13 chapter. Appointments shall be made on or before December 1 of the  
14 year next preceding the year in which the terms commence.

15 The legislative authority of a city or town that has the general  
16 power of confirmation over mayoral appointments shall have the power to  
17 confirm the appointment of a municipal judge.

18 A person appointed as a full-time or part-time municipal judge  
19 shall be a citizen of the United States of America and of the state of  
20 Washington; and an attorney admitted to practice law before the courts  
21 of record of the state of Washington: PROVIDED, That in a municipality  
22 having a population less than five thousand persons, a person (~~other~~  
23 ~~than an attorney~~) who has taken and passed by January 1, 2003, the  
24 qualifying examination for a lay candidate for judicial officer as  
25 provided by rule of the supreme court may be the judge. Any city or  
26 town shall have authority to appoint a district judge as its municipal  
27 judge when the municipal judge is not required to serve full time. In  
28 the event of the appointment of a district judge, the city or town  
29 shall pay a pro rata share of the salary.

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