

SENATE BILL 6719

State of Washington 57th Legislature

2002 Regular Session

By Senators Winsley, Prentice and Eide

Read first time . Referred to Committee on .

1 AN ACT Relating to municipal courts; and amending RCW 3.46.050,  
2 3.50.010, 3.50.040, and 3.50.050.

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

4 **Sec. 1.** RCW 3.46.050 and 1975 c 33 s 2 are each amended to read as  
5 follows:

6 Each city may select its full-time municipal judge or judges by  
7 election, or by appointment in such manner as the city legislative body  
8 determines: PROVIDED, That in cities having a population in excess of  
9 (~~four hundred~~) sixty thousand, (~~the~~) there shall be at least one  
10 full-time municipal judge. Municipal judges shall be elected.

11 **Sec. 2.** RCW 3.50.010 and 1984 c 258 s 103 are each amended to read  
12 as follows:

13 Any city or town with a population of four hundred thousand or less  
14 may by ordinance provide for an inferior court to be known and  
15 designated as a municipal court, which shall be entitled "The Municipal  
16 Court of . . . . . (insert name of city or town)", hereinafter  
17 designated and referred to as "municipal court", which court shall have  
18 jurisdiction and shall exercise all powers by this chapter declared to

1 be vested in the municipal court, together with such other powers and  
2 jurisdiction as are generally conferred upon such court in this state  
3 either by common law or by express statute. Cities and towns with  
4 populations exceeding sixty thousand that have established municipal  
5 courts shall provide at least one full-time municipal judge.

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

8 In cities or towns having populations not exceeding sixty thousand,  
9 within thirty days after the effective date of the ordinance creating  
10 the municipal court, the mayor of each city or town shall appoint a  
11 municipal judge or judges of the municipal court for a term of four  
12 years. ((The terms of judges serving on July 1, 1984, and municipal  
13 judges who are appointed to terms commencing before January 1, 1986,  
14 shall expire January 1, 1986.)) The terms ((of their successors))  
15 shall commence on January 1((, 1986, and on January 1 of each fourth  
16 year thereafter, pursuant to appointment or election as provided in  
17 this chapter)). Appointments shall be made on or before December 1 of  
18 the year next preceding the year in which the terms commence.

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

22 A person appointed as a full-time or part-time municipal judge  
23 shall be a citizen of the United States of America and of the state of  
24 Washington; and an attorney admitted to practice law before the courts  
25 of record of the state of Washington: PROVIDED, That in a municipality  
26 having a population less than five thousand persons, a person other  
27 than an attorney may be the judge. Any city or town shall have  
28 authority to appoint a district judge as its municipal judge when the  
29 municipal judge is not required to serve full time. In the event of  
30 the appointment of a district judge, the city or town shall pay a pro  
31 rata share of the salary.

32 **Sec. 4.** RCW 3.50.050 and 1984 c 258 s 107 are each amended to read  
33 as follows:

34 The legislative authority of the city or town may, by ordinance,  
35 provide that the position of municipal judge within the city or town  
36 shall be an elective position. Cities or towns with populations  
37 exceeding sixty thousand must provide by ordinance that the position of

1 municipal judge within the city or town shall be an elective position.  
2 The ordinance shall provide for the qualifications of the municipal  
3 judge which shall be the same as the qualifications necessary for the  
4 appointment thereof; and further, shall provide that the municipal  
5 judge shall be elected in the same manner as other elective city  
6 officials are elected to office, and that the term of the municipal  
7 judge shall be for a term of four years commencing on January 1, 1986,  
8 and every four years thereafter.

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