

HOUSE BILL REPORT

SHB 1805

As Passed Legislature

Title: An act relating to changing the number of district court judges.

Brief Description: Changing the number of district court judges.

Sponsors: By House Committee on Judiciary (originally sponsored by Representatives O'Brien, Nixon, Kagi, Tom, Sommers and Clibborn).

Brief History:

Committee Activity:

Judiciary: 2/20/03, 2/25/03 [DPS].

Floor Activity:

Passed House: 3/11/03, 91-1.

Senate Amended.

Passed Senate: 4/11/03, 48-0.

House Concurred.

Passed House: 4/21/03, 95-2.

Passed Legislature.

<p style="text-align: center;">Brief Summary of Substitute Bill</p> <ul style="list-style-type: none">· Reduces the number of district court judge positions in King County from 26 to 21.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

Staff: Edie Adams (786-7180).

Background:

The number of district court judges in each county is set by statute. Any change in the number of judges in a county must be made by the Legislature after receiving a

recommendation from the Supreme Court. The recommendation must be based on an objective workload analysis conducted by the Administrative Office of the Courts (AOC). The objective workload analysis takes into account available judicial resources and the caseload activity of the court.

King County has 26 statutorily authorized district court judge positions. An objective workload analysis conducted by the AOC indicates a projected need of 20.2 judicial officers in 2003. Clark County has five statutorily authorized district court judges. The objective workload analysis for Clark County indicates a need of 0.5 additional judicial officers in the county.

The county must pay all costs associated with a district court judge position. The county may phase in a newly authorized judge position over a two-year period.

District court judges are elected and hold office for a term of four years. A vacancy in a judge position is filled by appointment by the county legislative authority until the next general election.

Each county has a district court districting committee responsible for developing the district court districting plan. The districting plan establishes district court districts within the county according to standards set out in statute. The districting plan must be approved by the county legislative authority and includes provisions on: the boundaries of each district; the number of judges to be elected from each district; the location of courtrooms and records of each court and any other locations where the court will sit; the number and location of district court commissioners; and the departments into which each court will be organized.

Amendments to the district court districting plan must be submitted to the county legislative authority for approval. An amendment that would result in shortening the term or reducing the salary of any district court judge may not be effective until the next regular election for district judge.

Summary of Substitute Bill:

The number of statutorily authorized district court judges in King County is reduced from 26 to 21 and the number of authorized district court judges in Clark County is increased from five to six.

A process for changing the number of district court judges is established. The Legislature may change the number of district court judges only in a year in which the quadrennial election for district court judges is not held.

A vacancy in a district court judge position must remain vacant if the remaining judges in

the county is equal to or greater than the number of judge positions authorized in statute for that county.

A district court districting committee must consider the results of an objective workload analysis conducted by the AOC when determining the number of judges to be elected in each district court district. The districting committee must meet within 45 days of a change in the number of judges to be elected in each district. Amendments to the plan concerning the number of judges elected in a district must be submitted to the county legislative authority within 90 days, and adopted within 180 days, of the date of the statutory change in the number of judges.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: This is the first time that we have grappled with the issue of reductions in judicial positions. The bill reduces the number of judges to 23 to allow for an intermediate, stepped approach to reductions. When judicial positions are increased, there is a stepped approach. King County has major budget shortfalls and has had to make major budget cuts. The objective workload analysis of the need for judges in King County shows a need of 20.2 judges. The number should actually be lowered to 21, especially in light of the potential future termination of contracts with municipalities, which will further reduce the need for judges in King County.

Testimony Against: None.

Testified: Representative O'Brien, prime sponsor; J. Wesley Saint Clair and Tricia Crozier, King County District Court; and Suzanne Dale Estey, King County Executive's Office.