

# SENATE BILL REPORT

## SHB 1805

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As Reported By Senate Committee On:  
Judiciary, April 2, 2003

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

**Brief Description:** Changing the number of district court judges.

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

**Brief History:**

**Committee Activity:** Judiciary: 3/27/03, 4/2/03 [DPA].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass as amended.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Haugen, Johnson, Kline, Roach and Thibaudeau.

**Staff:** Aldo Melchiori (786-7439)

**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 based on an objective workload analysis conducted by the Administrative Office of the Courts (AOC).

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 which establishes district court districts within the county according to standards set out by 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 districting plan are 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 is not effective until the next regular election for district judge.

**Summary of Amended Bill:** The number of statutorily authorized district court judges in King County is reduced from 26 to 21. An additional district court judge position is authorized for Clark County, bringing the total number of district court judges authorized for the county to six.

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

A districting committee that is determining the number of judges to be elected in each district must consider the results of an objective workload analysis conducted by the AOC. 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 effective date of the statutory change in the number of judges.

**Amended Bill Compared to Substitute Bill:** The striking amendment combines HB 1805, 1822, and 1556. The number of district court judges is reduced from 26 to 21 in King County and increased from five to six in Clark County. A vacancy in a district court judge position must remain vacant if the remaining judges in the county are equal to or greater than the number statutorily authorized. The Legislature may only change the number of district court judges in a year in which the quadrennial election for district court judges is not held. An emergency clause is added.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** Caseloads are decreasing in King County, so it makes sense to decrease the number of district court judges in these tight budget times. The number of district court judges is objectively determined by the Administrative Office of the Courts. King County will still be able to provide full service to the citizens. When a vacancy occurs, the county will be able to leave the position vacant and realize an immediate savings. Clark County is the fastest growing county in the state and has a demonstrated need for an additional district court judge.

**Testimony Against:** None.

**Testified:** Melanie Stewart, District and Municipal Court Judges Association; Suzane Dale Estay, King County Executive's Office; J. Pat Thompson, County and City Employees Association.