
SENATE BILL 5992

State of Washington 58th Legislature 2003 Regular Session

By Senators Eide, Esser, Prentice and Kline

Read first time 02/27/2003. Referred to Committee on Judiciary.

1 AN ACT Relating to changing the number of district court judicial
2 positions; and amending RCW 3.34.020, 3.34.100, 3.38.020, and 3.38.040.

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

4 **Sec. 1.** RCW 3.34.020 and 2002 c 83 s 1 are each amended to read as
5 follows:

6 (1) Any change in the number of full and part-time district judges
7 after January 1, 1992, shall be determined by the legislature after
8 receiving a recommendation from the supreme court. The supreme court
9 shall make its recommendations to the legislature based on an objective
10 workload analysis that takes into account available judicial resources
11 and the caseload activity of each court.

12 (2) The administrator for the courts, under the supervision of the
13 supreme court, may consult with the board of judicial administration
14 and the district and municipal court judge's association in developing
15 the procedures and methods of applying the objective workload analysis.

16 (3) For each recommended change from the number of full and part-
17 time district judges in any county as of January 1, 1992, the
18 administrator for the courts, under the supervision of the supreme

1 court, shall complete a judicial impact note detailing any local or
2 state cost associated with such recommended change.

3 (4) If the legislature approves an increase in the base number of
4 district judges in any county as of January 1, 1992, such increase in
5 the base number of district judges and all related costs may be paid
6 for by the county from moneys provided under RCW 82.14.310, and any
7 such costs shall be deemed to be expended for criminal justice purposes
8 as provided in RCW 82.14.315, and such expenses shall not constitute a
9 supplanting of existing funding.

10 (5)(a) A county legislative authority that desires to change the
11 number of full or part-time district judges from the base number on
12 January 1, 1992, must first request the assistance of the supreme
13 court. The administrator for the courts, under the supervision of the
14 supreme court, shall conduct an objective workload analysis and make a
15 recommendation of its findings to the legislature for consideration as
16 provided in this section. Changes in the number of district court
17 judges may only be made by the legislature in a year in which the
18 quadrennial election for district court judges is not held.

19 (b) The legislative authority of any county may change a part-time
20 district judge position to a full-time position.

21 **Sec. 2.** RCW 3.34.100 and 1992 c 76 s 1 are each amended to read as
22 follows:

23 If a district judge dies, resigns, is convicted of a felony, ceases
24 to reside in the district, fails to serve for any reason except
25 temporary disability, or if his or her term of office is terminated in
26 any other manner, the office shall be deemed vacant. The county
27 legislative authority shall fill all vacancies by appointment and the
28 judge thus appointed shall hold office until the next general election
29 and until a successor is elected and qualified. However, if a vacancy
30 in the office of district court judge occurs and the total number of
31 district court judges remaining in the county is equal to or greater
32 than the number of district court judges authorized in RCW 3.34.010
33 then the position shall remain vacant. District judges shall be
34 granted sick leave in the same manner as other county employees. A
35 district judge may receive when vacating office remuneration for unused
36 accumulated leave and sick leave at a rate equal to one day's monetary
37 compensation for each full day of accrued leave and one day's monetary

1 compensation for each four full days of accrued sick leave, the total
2 remuneration for leave and sick leave not to exceed the equivalent of
3 thirty days' monetary compensation.

4 **Sec. 3.** RCW 3.38.020 and 1984 c 258 s 23 are each amended to read
5 as follows:

6 The district court districting committee shall meet at the call of
7 the prosecuting attorney to prepare ((a)) or amend the plan for the
8 districting of the county into one or more district court districts in
9 accordance with the provisions of chapters 3.30 through 3.74 RCW. The
10 plan shall include the following:

- 11 (1) The boundaries of each district proposed to be established;
- 12 (2) The number of judges to be elected in each district or
13 electoral district, if any. In determining the number of judges to be
14 elected, the districting committee shall consider the results of an
15 objective workload analysis conducted by the administrator for the
16 courts;
- 17 (3) The location of the central office, courtrooms and records of
18 each court;
- 19 (4) The other places in the district, if any, where the court shall
20 sit;
- 21 (5) The number and location of district court commissioners to be
22 authorized, if any;
- 23 (6) The departments, if any, into which each district court shall
24 be initially organized, including municipal departments provided for in
25 chapter 3.46 RCW;
- 26 (7) The name of each district; and
- 27 (8) The allocation of the time and allocation of salary of each
28 judge who will serve part time in a municipal department.

29 **Sec. 4.** RCW 3.38.040 and 1984 c 258 s 27 are each amended to read
30 as follows:

31 (1) The districting committee may meet for the purpose of amending
32 the districting plan at any time on call of the county legislative
33 authority, the chairperson of the committee or a majority of its
34 members. Amendments to the plan shall be submitted to the county
35 legislative authority not later than March 15th of each year for
36 adoption by the county legislative authority following the same

1 procedure as with the original districting plan. Amendments shall be
2 adopted not later than May 1st following submission by the districting
3 committee. Any amendment which would reduce the salary or shorten the
4 term of any judge shall not be effective until the next regular
5 election for district judge. All other amendments may be effective on
6 a date set by the county legislative authority.

7 (2) The districting committee shall meet within forty-five days of
8 the effective date of changes in the number of judges to be elected in
9 each district court district, or electoral district, if any.
10 Amendments to the plan concerning the number of judges to be elected in
11 each district court district, or electoral district, if any, shall be
12 submitted to the county legislative authority not later than ninety
13 days after the effective date of changes in RCW 3.34.010, and the
14 amendments shall be adopted not later than one hundred eighty days
15 after the effective date of changes in RCW 3.34.010.

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