

FINAL BILL REPORT

HB 1262

C 142 L 05

Synopsis as Enacted

Brief Description: Limiting compensation for part-time judges.

Sponsors: By Representatives Takko, Walsh, Blake and Wallace; by request of Board For Judicial Administration.

House Committee on Judiciary
Senate Committee on Judiciary

Background:

For various reasons temporary judges are sometimes used to hear cases in superior courts. In order to sit as a judge pro tempore, a person must be either: (1) an attorney agreed upon by the parties; (2) a sitting elected judge from another court; or (3) a superior court judge who retires and continues to preside over a pending case.

Pay for superior court judges pro tempore varies depending on the pro tempore's status:

- An attorney who is not a retired or active judge receives 1/250th of a superior court judge's annual salary for each day of work as a pro tempore.
- A retired judge receives 60 percent of 1/250th of a superior court judge's annual salary per day.
- An active judge of another court receives no compensation for work as a pro tempore.

Some elected judges of courts of limited jurisdiction serve as part-time judges in their own courts. The statute dealing with the salaries of superior court judges pro tempore does not explicitly address the payment of part-time judges who serve as judges pro tempore.

Summary:

The prohibition against active judges receiving compensation as judges pro tempore is limited to active full-time judges. Active part-time judges may be compensated for time spent as a pro tempore, but only if that time is not also being compensated for by the part-time salary.

Votes on Final Passage:

House	95	0
Senate	47	0

Effective: July 24, 2005