

# SENATE BILL REPORT

## SB 5928

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As Reported By Senate Committee On:  
Judiciary, March 1, 2005

**Title:** An act relating to the advisory committee of the office of public defense.

**Brief Description:** Regarding the advisory committee of the office of public defense.

**Sponsors:** Senators Haugen, Stevens and Kline; by request of Office of Public Defense.

**Brief History:**

**Committee Activity:** Judiciary: 2/22/05, 3/1/05 [DP].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Carrell, Esser, Hargrove, McCaslin, Rasmussen and Thibaudeau.

**Staff:** Lidia Mori (786-7755)

**Background:** One of the people required to be a member of the advisory committee of the Office of Public Defense is an appellate judge. No appointee to the advisory committee may serve as an appellate judge. Proponents of this legislation believe it is extremely difficult to find an appellate judge to be a member of the advisory committee if he or she is prohibited from ever serving as an appellate judge on a pro tem basis.

**Summary of Bill:** The advisory committee of the Office of Public Defense contains one person who is appointed by the court of appeals executive committee. During the term of his or her appointment, an appointee to the advisory committee may serve as an appellate judge on a pro tem basis.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Committee/Commission/Task Force Created:** No.

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

**Testimony For:** The Office of Public Defense advisory committee had, for three years, a member who was an appellate court judge but he left the committee because he wanted to do some pro tem work. The position on the committee has been vacant for two years. There is a very narrow group of judges that would be available since they have to be retired and most want to do pro tem work.

**Testimony Against:** None.

**Who Testified:** PRO: Joanne Moore, Director for Office of Public Defense.