
HOUSE BILL 1139

State of Washington 59th Legislature 2005 Regular Session

By Representative Upthegrove

Read first time 01/17/2005. Referred to Committee on Judiciary.

1 AN ACT Relating to attorneys serving as pro tempore judges,
2 commissioners, and guardians ad litem; amending RCW 2.08.185; and
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that qualified
6 and experienced attorneys who have expertise as guardians ad litem or
7 as judicial officers should be permitted to use their expertise to
8 serve the judicial system. However, potential conflicts of interests
9 may arise when an attorney seeks to act as a guardian ad litem, judge
10 pro tempore, or commissioner pro tempore. The legislature finds that
11 it is reasonable to prevent conflicts of interests to protect the
12 integrity of the judicial system and the interests of the children
13 involved in these cases.

14 **Sec. 2.** RCW 2.08.185 and 1996 c 249 s 12 are each amended to read
15 as follows:

16 An attorney may not serve as a (~~superior court~~) judge pro tempore
17 or a (~~superior court~~) commissioner pro tempore on a case in a
18 judicial district (~~while appointed to or serving on a case in that~~

1 ~~judicial district as a guardian ad litem for compensation under Title~~
2 ~~11, 13, or 26 RCW, if that judicial district))~~ that is contained within
3 division one or two of the court of appeals and has a population of
4 more than one hundred thousand if the attorney has ever served as an
5 attorney or guardian ad litem for any party, or guardian ad litem for
6 the child of any party, in the case. An attorney may not serve as a
7 guardian ad litem in a case in a judicial district that is contained
8 within division one or two of the court of appeals and has a population
9 of more than one hundred thousand if the attorney has ever served as a
10 judge pro tempore or a court commissioner pro tempore on a case
11 involving any of the parties.

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