
SUBSTITUTE HOUSE JOINT RESOLUTION 4223

State of Washington 60th Legislature 2007 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives B. Sullivan, Rodne, Appleton, Sommers and Ormsby)

READ FIRST TIME 2/28/07.

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 THAT, At the next general election to be held in this state the
4 secretary of state shall submit to the qualified voters of the state
5 for their approval and ratification, or rejection, an amendment to
6 Article IV, section 3 and Article IV, section 30 of the Constitution of
7 the state of Washington to read as follows:

8 Article IV, section 3. The judges of the supreme court shall be
9 ((elected)) appointed by the ((qualified electors of the state at large
10 at the general state election at the times and places at which state
11 officers are elected, unless some other time be provided by the
12 legislature. The first election of judges of the supreme court shall
13 be at the election which shall be held upon the adoption of this
14 Constitution and the judges elected thereat shall be classified by lot,
15 so that two shall hold their office for the term of three years, two
16 for the term of five years, and one for the term of seven years. The
17 lot shall be drawn by the judges who shall for that purpose assemble at
18 the seat of government, and they shall cause the result thereof to be
19 certified to the secretary of state, and filed in his office)) governor

1 and subject to a retention election, as provided by law. The supreme
2 court shall select a chief justice from its own membership to serve for
3 a four-year term at the pleasure of a majority of the court as
4 prescribed by supreme court rule. The chief justice shall preside at
5 all sessions of the supreme court. In case of the absence of the chief
6 justice, the majority of the remaining court shall select one of their
7 members to serve as acting chief justice. ~~((After the first election))~~
8 The terms of judges ((elected)) shall be six years from and after ((the
9 second Monday in January next succeeding their election)) their
10 appointment. If a vacancy occurs in the office of a judge of the
11 supreme court the governor shall ~~((only))~~ appoint a person, as provided
12 by law, to ~~((ensure the number of judges as specified by the~~
13 ~~legislature, to hold the office until the election and qualification of~~
14 ~~a judge to fill the vacancy, which election shall take place at the~~
15 ~~next succeeding general election, and the judge so elected shall))~~ hold
16 the office for the remainder of the unexpired term. ~~((The term of~~
17 ~~office of the judges of the supreme court, first elected, shall~~
18 ~~commence as soon as the state shall have been admitted into the Union,~~
19 ~~and continue for the term herein provided, and until their successors~~
20 ~~are elected and qualified.))~~ The sessions of the supreme court shall
21 be held at the seat of government until otherwise provided by law.

22 Article IV, section 30. (1) *Authorization.* In addition to the
23 courts authorized in section 1 of this article, judicial power is
24 vested in a court of appeals, which shall be established by statute.

25 (2) *Jurisdiction.* The jurisdiction of the court of appeals shall
26 be as provided by statute or by rules authorized by statute.

27 (3) *Review of Superior Court.* Superior court actions may be
28 reviewed by the court of appeals or by the supreme court as provided by
29 statute or by rule authorized by statute.

30 (4) *Judges.* The number, manner of ~~((election))~~ selection,
31 compensation, terms of office, removal and retirement of judges of the
32 court of appeals shall be as provided by statute.

33 (5) *Administration and Procedure.* The administration and
34 procedures of the court of appeals shall be as provided by rules issued
35 by the supreme court.

36 (6) *Conflicts.* The provisions of this section shall supersede any
37 conflicting provisions in prior sections of this article.

1 BE IT FURTHER RESOLVED, That this amendment is a single amendment
2 within the meaning of Article XXIII, section 1 of the state
3 Constitution.

4 The legislature finds that the changes contained in this amendment
5 constitute a single integrated plan for the method of selection of
6 judges of the supreme court and court of appeals. If this amendment is
7 held to be separate amendments, this joint resolution is void in its
8 entirety and is of no further force and effect.

9 BE IT FURTHER RESOLVED, That the secretary of state shall cause
10 notice of this constitutional amendment to be published at least four
11 times during the four weeks next preceding the election in every legal
12 newspaper in the state.

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