

SENATE BILL REPORT

HB 2681

As Reported by Senate Committee On:
Judiciary, February 24, 2010

Title: An act relating to allowing compensation for part-time judges' judicial services.

Brief Description: Allowing compensation for part-time judges' judicial services.

Sponsors: Representatives Goodman, Rodne and Kelley.

Brief History: Passed House: 2/11/10, 97-0.

Committee Activity: Judiciary: 2/24/10 [DPA].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended.

Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell, Gordon, Hargrove, Kohl-Welles and Roach.

Staff: Juliana Roe (786-7438)

Background: District courts are county courts that have jurisdiction over misdemeanor and gross misdemeanor criminal cases and most civil actions involving claims of \$75,000 or less. District court judges are elected to four-year terms. In order to serve as a district court judge, a person must be a registered voter of the district court district and an attorney admitted to practice law in Washington. The person does not have to be an attorney in a district with a population of less than 5,000 if the person has passed the qualifying exam for lay judges by January 1, 2003. There are currently 88 full-time district judges and 24 part-time district judges serving in the district courts.

When a district court judge is unable to serve due to an absence, disqualification, or other reason, the district court may appoint a judge *pro tempore* to temporarily serve in place of the district court judge, or the district court may borrow a district judge from another district court on a temporary basis.

A judge *pro tempore* must meet the same requirements as a district judge, except that a judge *pro tempore* need not be a registered voter of the district, but only of the state.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Compensation for a district judge *pro tempore* is determined by the local legislative authority.

A district court judge may temporarily provide judicial services in another district court if the judge is able to be absent from the judge's own district and the county legislative authority approves the absence of the judge. A visiting district court judge is entitled to reimbursement for subsistence, lodging, and travel expenses. These expenses are paid by the visited district and must be approved in advance by the county legislative authority for the visited district.

Summary of Bill (Recommended Amendments): A visiting part-time district judge must receive compensation for judicial services when the judge is not serving in a judicial capacity in his or her own district if the county legislative authority in the visited district approves the payment in advance.

EFFECT OF CHANGES MADE BY JUDICIARY COMMITTEE (Recommended Amendments): A visiting part time district court judge is entitled to compensation for judicial services when the judge is not serving in a judicial capacity in his or her own district.

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.

Staff Summary of Public Testimony on Original Bill: PRO: This bill puts visiting judges on the same footing as part time and pro tem judges. Many times in small counties pro tem judges are disqualified from hearing cases. This bill would allow visiting judges to get paid at the same rate at which the pro tem judges would have been paid. Judges ought to be paid for their work and not just their room, lodging, and food.

Persons Testifying: PRO: Representative Goodman, prime sponsor; Judge Doug Goeltz, District and Municipal Court Judges Association.