

SENATE BILL REPORT

SB 5102

As Passed Senate, January 28, 2009

Title: An act relating to increasing the number of district court judges in Benton county.

Brief Description: Adding two district court judges in Benton county.

Sponsors: Senators Hewitt, Delvin and Kline; by request of Board For Judicial Administration.

Brief History:

Committee Activity: Judiciary: 1/16/09, 1/21/09 [DP].

Passed Senate: 1/28/09, 49-0.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin, Ranking Minority Member; Carrell, Hargrove, Roach and Tom.

Staff: Juliana Roe (786-7438)

Background: Under current law, Benton county is permitted to elect three district court judges. Pursuant to RCW 3.34.020(5)(a), "[c]hanges in the number of district court judges may only be made by the legislature in a year in which the quadrennial election for district court judges is not held." Furthermore, a request for additional district court judges must go through the Administrator for the Courts, under the supervision of the Supreme Court, which then conducts a workload analysis and makes a recommendation to the Legislature. The Administrator for the Courts has found, through its objective workload analysis, that the workload for Benton County District Courts increased by 43.6 percent from 2000 to 2007 – the caseload grew from 19,812 to 28,453. Therefore, the court seeks to increase the number of district court judge positions from three to five.

Summary of Bill: Five district court judges may be elected in Benton County.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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.

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

Staff Summary of Public Testimony: PRO: This is a good bill. It helps turn existing commissioner positions into district court judge positions. The effectiveness of a commissioner is limited and Benton County is the only county in the state with more than one full time commissioner in district court. This bill allows the district court to have more elected judges.

The Administrative Office of the Courts (AOC) must oversee the request for additional judges. AOC does annual work load analysis based on previous years' filings. The Benton County district courts have met the requirements of the workload analysis.

The state puts money toward district courts in the form of a court improvement fund. There is no state fiscal impact in hiring more district court judges. The county pays the salary of district court judges.

Persons Testifying: PRO: Senator Delvin; Holly Hollenbeck, Benton County District Court; Mellani McAleenan, Board for Judicial Administration.