

# SENATE BILL REPORT

## SB 5170

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As Passed Senate, February 18, 2011

**Title:** An act relating to increasing the number of judges to be elected in Grant county.

**Brief Description:** Increasing the number of judges to be elected in Grant county.

**Sponsors:** Senators Holmquist Newbry, Parlette, Kohl-Welles and Kline; by request of Board For Judicial Administration.

**Brief History:**

**Committee Activity:** Judiciary: 1/26/11, 1/28/11 [DP].

Passed Senate: 2/18/11, 47-0.

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass.

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

**Staff:** Juliana Roe (786-7438)

**Background:** Under current law, Grant County is permitted to elect two 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 that although Grant County has two elected judges and one full-time court commissioner, it has a need of 3.3 judges.

**Summary of Bill:** Three district court judges may be elected in Grant County.

**Appropriation:** None.

**Fiscal Note:** Available.

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

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*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: There are currently two authorized district court judge positions and a full-time commissioner. These positions are funded by the county. A commissioner's duties are limited by statute. A new judge would help fill some of the duties that the commissioner is unable to fulfill. Grant County is a unique county in that the judges travel to eight different cities and hear 11 different municipal calendars. There are also two district court locations that are 20 miles apart. Another judge is sorely needed.

CON: The committee should be cautioned before paying for another judge. The existing judges just need to do things leaner, meaner, and more efficiently. The committee should look at doing away with economic crimes such as DWLS 3 that are consuming court time. If we are talking about appointing more judges, we should also look at the procedures for removing judges that are not needed, like those in Pierce and Grays Harbor.

**Persons Testifying:** PRO: Senator Holmquist Newbry, prime sponsor; Judge Janice Whitener-Moberg, Presiding Judge for Grant County District Court.

CON: Aurther West, citizen.