

# SENATE BILL REPORT

## SJR 8200

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As of January 12, 2012

**Brief Description:** Amending the Washington state Constitution so that judges may retire at the expiration of his or her term of office after attaining the mandatory retirement age.

**Sponsors:** Senators Shin, Chase, Hargrove, Harper, Prentice, Rockefeller, Holmquist Newbry, Fraser and Sheldon.

**Brief History:**

**Committee Activity:** Judiciary: 1/11/12.

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### SENATE COMMITTEE ON JUDICIARY

**Staff:** Katherine Taylor (786-7434)

**Background:** According to the Washington State Constitution, a judge of supreme court or the superior court must retire from judicial office at the end of the calendar year in which the judge attains the age of 75 years. The Legislature may, as it deems proper, fix a lesser age for mandatory retirement, not earlier than the end of the calendar year in which any such judge attains the age of 70 years. This provision shall not affect the term to which any judge has been elected or appointed prior to, or at the time of, approval and ratification of this provision. Notwithstanding the limitations of this section, the Legislature may by general law authorize or require the retirement of judges for physical or mental disability, or any cause rendering judges incapable of performing their judicial duties.

**Summary of Bill:** A judge of the supreme court or superior court must retire from judicial office either at the end of the calendar year in which the judge attains the age of 75 years or at the expiration of the judge's term of office after attaining the mandatory retirement age.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Effective Date:** The act takes effect upon approval by the voters at the next general election.

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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.*

**Staff Summary of Public Testimony:** PRO: We support this bill. The state constitution is silent on retirement ages for district court judges. Nineteen states have no mandatory retirement ages for judges. Asking the public to vote on an amendment to the constitution may be costly.

**Persons Testifying:** PRO: Mellani McAleenan, Board for Judicial Administration; Brett Buckley, Thurston County District Court Judge.