

# HOUSE BILL REPORT

## HB 1266

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**As Passed House:**  
March 4, 2013

**Title:** An act relating to modifying the mandatory retirement provision for district judges.

**Brief Description:** Modifying the mandatory retirement provision for district judges.

**Sponsors:** Representatives Rodne, Pedersen, Nealey, Goodman, Freeman, Hunt and Ryu.

**Brief History:**

**Committee Activity:**

Judiciary: 1/29/13, 2/5/13 [DP].

**Floor Activity:**

Passed House: 3/4/13, 98-0.

**Brief Summary of Bill**

- Provides that district court judges must retire at the end of the term of office, rather than the end of the calendar year, in which the judge reaches the age of 75 years.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 13 members: Representatives Pedersen, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; O'Ban, Assistant Ranking Minority Member; Goodman, Hope, Jinkins, Kirby, Klippert, Nealey, Orwall, Roberts and Shea.

**Staff:** Edie Adams (786-7180).

**Background:**

Judges of the Supreme Court, Court of Appeals, superior courts, and district courts are required to retire at the end of the calendar year in which the judge attains the age of 75 years. The mandatory retirement age for judges of the Supreme Court and superior courts is established in the Washington Constitution. By statute, judges of the Court of Appeals must retire at the same age and under the same conditions as judges of the Supreme Court.

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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.*

The mandatory retirement age of 75 years was established for district court judges in 1969. District court judges serve four-year terms in the county district courts. If there is a vacancy in a district court judge position, the county legislative authority fills the vacancy by appointment, and the judge holds office until the next general election.

**Summary of Bill:**

A district court judge must retire from office at the end of the term of office in which the judge reaches the age of 75 years, rather than at the end of the calendar year.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) This is a good bill to allow a district court judge to finish the term for which he or she is elected, rather than have to leave office mid-term. For many judges, the age limit is arbitrary and does not impact the judges' ability to do the job. This bill will save money by avoiding the need for mid-term elections if a vacancy occurs. The bill only addresses district judges since it would take an expensive constitutional amendment to make this change for other judges.

(Opposed) None.

**Persons Testifying:** Representative Rodne, prime sponsor; and Melanie Stewart, District and Municipal Court Judges Association.

**Persons Signed In To Testify But Not Testifying:** None.