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## Judiciary Committee

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### HB 2601

**Title:** An act relating to municipal court terms.

**Brief Description:** Clarifying municipal court terms.

**Sponsors:** Representatives Freeman, Rodne and Jinkins.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Provides that a municipal court term may only be terminated at the end of the judicial term of the judge or judges of that court.</li></ul>
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**Hearing Date:** 2/4/14

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

**Background:**

Municipal courts are courts of limited jurisdiction that have jurisdiction to hear cases involving infractions or crimes that are violations of city ordinances, domestic violence and anti-harassment petitions, and other jurisdiction as provided by statute.

Cities are responsible for the prosecution, adjudication, sentencing, and incarceration of adult misdemeanor offenders in their respective jurisdictions. A city may meet this responsibility by establishing its own independent municipal court by ordinance or by contracting for court services with the county or with one or more cities. A city that is operating an independent municipal court may not terminate its municipal court until it first enters into an interlocal agreement with the county or another city in which it agrees to pay the county or city for delivery of court services on behalf of the city.

A city that has contracted with a district court for the provision of court services must provide notice of its intent to terminate the agreement at least one year before February 1 of the year in

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which all district court judges are subject to election. The city may terminate the agreement only at the end of a four-year district court judicial term.

A judge of the municipal court serves a four-year term and generally must be an attorney admitted to practice law in Washington. A municipal court judge must be a resident of the county in which the court resides, but does not need to be a resident of the city in which the court is created. However, a municipal court judge in a city with a population of over 400,000 must be an elector of the city, and in a municipal court with a part-time judge where a commissioner has not been appointed, the part-time judge does not have to be a resident of the county where the court is located.

A full-time municipal court judge position (35 hours per week) must be filled by election. Additional positions that are by themselves or in combination equal to more than one-half of a full-time judge position also must be filled by election. Part-time judge positions may be filled by appointment or election at the option of the city. The city may appoint a district judge as its municipal judge if the municipal judge position is part-time.

**Summary of Bill:**

A municipal court term may only be terminated at the end of the judicial term of the judge or judges of that court. For courts with elected municipal court judges, the judicial term includes the time period between when the office is designated for election to the end of the four-year term that is the subject of the upcoming election. In the case of a judge appointed in a part-time court, the term of office includes the time period between the date the appointment is confirmed by the local legislative body to the end of the judge's four-year term.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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