

HOUSE BILL REPORT

SB 5069

As Reported by House Committee On:
Judiciary

Appropriations Subcommittee on General Government

Title: An act relating to increasing the number of superior court judges in Benton and Franklin counties jointly.

Brief Description: Increasing the number of superior court judges in Benton and Franklin counties jointly.

Sponsors: Senators Schoesler, Hewitt and Kohl-Welles; by request of Board For Judicial Administration.

Brief History:

Committee Activity:

Judiciary: 3/13/13, 3/19/13 [DP];

Appropriations Subcommittee on General Government: 3/27/13 [DP].

Brief Summary of Bill

- Increases the number of statutorily authorized superior court judges in Benton and Franklin counties, jointly, from six to seven.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 11 members: Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman, Hope, Jinkins, Kirby, Klippert, Nealey, Orwall and Roberts.

Minority Report: Do not pass. Signed by 1 member: Representative Shea.

Staff: Omeara Harrington (786-7136).

Background:

The number of superior court judges in each county is set by statute. Any change in the number of full- and part-time judges in a county's superior court is determined by the

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.

Legislature after receiving a recommendation from the Board for Judicial Administration (BJA). The BJA's recommendation is based on an objective workload analysis developed annually by the Administrative Office of the Courts (AOC). The objective workload analysis takes into account available judicial resources and the caseload activity of the court.

The state and the county share the cost of superior court judges. In order for an additional judicial position to become effective, the legislative authority of the affected county must approve the position and agree to pay, out of county funds and without reimbursement from the state, expenses associated with the new position.

Benton and Franklin counties jointly have six elected superior court judges. According to the AOC's objective workload analysis, an increase in the number of superior court judges in the counties of Benton and Franklin is recommended.

Summary of Bill:

The number of statutorily authorized superior court judges in Benton and Franklin counties, jointly, is increased from six to seven. This new position becomes effective only if the legislative authorities of Benton and Franklin counties approve the position and agree that the counties will pay their share of the cost of the position without reimbursement from the state.

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 legislation is brought by request of the Board for Judicial Administration, and the companion bill that originated in the House of Representatives passed with bipartisan support. This year's needs assessment indicates that there is a need for 1.3 additional judges. The last time a position was added was in 2002, and the previous increase was in 1984. This area has experienced a great deal of population growth. This request has already been delayed one year due to fiscal concerns, but the funding for the position is expected to be in place next year.

(Opposed) None.

Persons Testifying: Mellani McAleenan, and Craig Matheson, Board for Judicial Administration.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Hudgins, Chair; Buys, Chandler, Dunshee, Hunt, Pedersen and Springer.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor.

Staff: Alex MacBain (786-7288).

Summary of Recommendation of Committee On Appropriations Subcommittee on General Government Compared to Recommendation of Committee On Judiciary:

No new changes were recommended.

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) Benton and Franklin counties jointly share a superior court. There is support for a new superior court judge position from all the county commissioners in both Benton and Franklin counties. Even though this is one of the fastest growing areas of the state, only one judge has been added since 1984. The Board for Judicial Administration's analysis shows a need for an additional superior court judge position. The superior court has adopted practices to increase the efficiency of handling cases, including mandatory mediation, use of arbitration, and use of a funded dispute resolution center. Without an additional judge, the court will become backlogged in cases.

(Opposed) None.

Persons Testifying: Mellani McAleenan and Craig Matheson, Board for Judicial Administration.

Persons Signed In To Testify But Not Testifying: None.