

HOUSE BILL REPORT

SB 5981

As Reported by House Committee On:
Judiciary

Appropriations Subcommittee on General Government & Information Technology

Title: An act relating to increasing the number of superior court judges in Mason county.

Brief Description: Increasing the number of superior court judges in Mason county.

Sponsors: Senators Sheldon, Kline, Hewitt and Dammeier; by request of Board For Judicial Administration.

Brief History:

Committee Activity:

Judiciary: 2/20/14, 2/26/14 [DP];

Appropriations Subcommittee on General Government & Information Technology:
2/27/14 [DP].

Brief Summary of Bill

- Raises the number of statutorily authorized superior court judges in Mason County from two to three.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 12 members: Representatives Jinkins, Chair; Hansen, Vice Chair; Rodne, Ranking Minority Member; Nealey, Assistant Ranking Minority Member; Goodman, Haler, Kirby, Klippert, Muri, Orwall, Roberts and Walkinshaw.

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 Legislature after receiving a recommendation from the Board for Judicial Administration

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.

(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 the expenses associated with the new position out of county funds and without reimbursement from the state.

Mason County has two elected superior court judges. The BJA recommends an increase in the number of superior court judges in Mason County.

Summary of Bill:

The number of statutorily authorized superior court judges in Mason County is increased from two to three. This new position becomes effective only if the legislative authority of Mason County approves the position and agrees that the county will pay its 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 is BJA request legislation. This bill passed the Senate unanimously and the companion passed the House with a favorable vote. The BJA reviewed the request for an additional judge from Mason County and firmly believes the county needs the flexibility of a third judge. The court has been as creative as possible and has worked as hard as they can within their parameters, but an additional position is still needed. Mason County has a high number of criminal trials, which creates difficulty in resolving civil cases in a timely fashion. There is a commissioner in the county; however, commissioners cannot preside over trials. Neighbor disputes, divorces, landlord and tenant cases are all common civil matters, which must yield to criminal cases.

(Opposed) None.

Persons Testifying: Mellani McAlenan, Board for Judicial Administration; and Toni Sheldon, Mason County Superior Court.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT & INFORMATION TECHNOLOGY

Majority Report: Do pass. Signed by 7 members: Representatives Hudgins, Chair; Parker, Ranking Minority Member; Buys, Dunshee, S. Hunt, Jinkins and Springer.

Minority Report: Do not pass. Signed by 2 members: Representatives Christian and Taylor.

Staff: Alex MacBain (786-7288).

Summary of Recommendation of Committee On Appropriations Subcommittee on General Government & Information Technology 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) This is requested legislation from the Board for Judicial Administration (BJA). In 1992 the Mason County population was 40,000 when the second superior court judge position was authorized. The current county population is 61,000 and the court caseload has grown substantially. Mason County is ready and willing to provide its share of the costs for a third superior court judge position, and the bill has received support from county commissioners, the local court clerk, and local lawyers. One or both of the current superior court judges would have wanted to be here today to testify on this bill, but both are involved in criminal trials and could not get away, which is a key factor for why this legislation is necessary. Mason County has a high number of criminal trials, which creates difficulty in resolving civil cases in a timely fashion. The court has been creative in attempting to manage its workload through use of alternate dispute resolution and use of a court commissioner. However, because of the volume of criminal trials and the fact that commissioners cannot preside over criminal trials, the BJA believes the county needs the flexibility of a third judge.

(Opposed) None.

Persons Testifying: Senator Sheldon, prime sponsor; and Mellani McAleenan, Board for Judicial Administration.

Persons Signed In To Testify But Not Testifying: None.