

SENATE BILL REPORT

HB 1266

As Reported by Senate Committee On:
Law & Justice, April 1, 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: Passed House: 3/04/13, 98-0.

Committee Activity: Law & Justice: 3/15/13, 4/01/13 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Padden, Chair; Kline, Ranking Member; Darneille, Kohl-Welles, Pearson and Roach.

Staff: Aldo Melchiori (786-7439)

Background: Judges of the Supreme Court, Court of Appeals, superior courts, and district courts must 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 are established in the Washington State 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.

The mandatory retirement age of 75 years was established by statute for district court judges in 1969. District court judges serve four-year terms. 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 that calendar year.

Appropriation: None.

Fiscal Note: Available.

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.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The District and Municipal Court Judge's Association supports this bill. The bill passed in the House with a unanimous vote. The Senate companion bill passed in the Senate unanimously as well.

Persons Testifying: PRO: Judge Brett Buckley, District and Municipal Court Judge's Assn.