

SENATE BILL REPORT

SB 5860

As of February 27, 2013

Title: An act relating to legal proceedings by the attorney general on behalf of superior court judges.

Brief Description: Addressing legal proceedings by the attorney general on behalf of superior court judges.

Sponsors: Senators Padden and Kline.

Brief History:

Committee Activity: Ways & Means:

SENATE COMMITTEE ON WAYS & MEANS

Staff: Steve Jones (786-7440)

Background: Under the state Constitution, state statutes, and court decisions, the Attorney General is the legal representative of all state officers. The Attorney General must represent the state and all officials, departments, boards, commissions, and agencies in the courts, before all administrative tribunals or bodies, in all legal or quasi-legal matters, hearings, or proceedings, and advise all officials, departments, boards, commissions, or agencies in all these matters. Superior Court judges are state officials for this purpose.

Alleging inadequate funding of the Superior Court of Grays Harbor County, the Superior Court judges of Grays Harbor County have brought legal action against the county and the state. The Attorney General is defending the lawsuit on behalf of the state. The Attorney General is also providing legal representation, through an appointed Special Assistant Attorney General, to the Grays Harbor County judges.

The Administrator for the Courts is appointed by the state Supreme Court and is the executive officer of the Administrative Office of the Courts.

Summary of Bill: The Attorney General is not required to institute legal actions on behalf of Superior Court judges unless requested to do so by the Administrator for the Courts.

Appropriation: None.

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.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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