

SENATE BILL REPORT

SB 5981

As Reported by Senate Committee On:
Law & Justice, January 22, 2014

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: Law & Justice: 1/15/14, 1/22/14 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Padden, Chair; O'Ban, Vice Chair; Kline, Ranking Member; Darneille, Pearson, Pedersen and Roach.

Staff: Aldo Melchiori (786-7439)

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 (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.

Superior court judges and court commissioners hear felony and other criminal matters, civil matters, domestic relations matters, guardianship and probate matters, juvenile matters as well as child dependency cases, appeals from lower courts, and appeals from state administrative agencies. Mason County has two elected superior court judges.

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.

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.

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 Mason County approves the position and agrees that the county pay its share of the cost of the position without reimbursement from the state.

Appropriation: None.

Fiscal Note: Available.

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 Mason County population and the number of court filings have increased over the years without a commensurate increase in superior court judges. Citizens are getting frustrated about their access to the court for civil cases. The needs estimate may be low because it does not account for the time spent on each case. Court commissioners cannot hear trials. Mason County has a high number of criminal trials so the civil case load gets bumped off the calendar. Only 67 percent of the civil trials can start on schedule and many are held in a piecemeal fashion. Mason County judges are working hard and long. Civil attorneys are having a difficult time getting their cases heard. Delayed civil trials cost the clients money.

OTHER: We need to figure out why there are so many criminal trials in Mason County. We should be exploring other ways to respond to crime.

Persons Testifying: PRO: Senator Sheldon, prime sponsor; Mellani McAleenan, BJA; Julie Nichols, Mason County Bar Assn.; Susan Sergiojan, Mason County Public Defender; Ginger Brooks, Mason County Clerk; Judge Toni Sheldon, Mason County Superior Court.

OTHER: Tom Davis, citizen.