
Civil Rights & Judiciary Committee

HB 1825

Brief Description: Concerning continuity of judicial operations in single judge courts.

Sponsors: Representatives Dye, Orwall and Graham; by request of Administrative Office of the Courts.

<p>Brief Summary of Bill</p> <ul style="list-style-type: none">• Establishes standards governing the designation, appointment, and authority of presiding judges pro tempore in single judge courts.

Hearing Date: 1/18/22

Staff: John Burzynski (786-7133).

Background:

Washington's court structure and authorities are governed by Title 2 of the Revised Code of Washington.

The Administrator for the Courts is the executive officer of the Administrative Office of the Courts. Among other powers and duties, the Administrator is charged to examine the dockets of the courts to determine the need for assistance by any court and make recommendations to the Chief Justice relating to the assignment of judges.

Washington law governs the appointment of judges when a vacancy arises in the courts, but generally does not provide for continuity of operations for courts that contain only one judge.

Summary of Bill:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

A single judge court is defined as a court or judicial district that has only one judge.

If the presiding judge in a single judge court is unable to fulfill the duties of their office due to illness, incapacity, resignation, death, or unavailability, and no person has been previously designated by the presiding judge to serve as the presiding judge pro tempore, the Chief Justice may, upon recommendation of the Administrator for the Courts, appoint another judicial officer or other qualifying person to serve as presiding judge pro tempore.

The Chief Justice may appoint a new presiding judge pro tempore to a single judge court to replace the predesignated or previously appointed presiding judge pro tempore whenever the Chief Justice determines the administration of justice would be better served by doing so.

Within 30 days of making an initial or subsequent appointment of a presiding judge pro tempore to a single judge court, the Chief Justice must consult with the local legislative authority regarding the continued appointment during the remaining period of illness, incapacity, or unavailability, or until a vacancy in the position is filled as provided by law.

If a presiding judge pro tempore has been predesignated or appointed to a single judge court, they may fulfill all presiding judge duties and their authority endures until the Chief Justice appoints someone else to the position, or until a vacancy is filled as provided by law.

A presiding judge pro tempore for a single judge court may appoint one or more court commissioners for their county or district.

Appropriation: None.

Fiscal Note: Requested on January 11, 2022.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.