

SENATE BILL REPORT

HB 1167

As Passed Senate, April 7, 2021

Title: An act relating to Thurston county superior court judges.

Brief Description: Concerning Thurston county superior court judges.

Sponsors: Representatives Bateman, Dolan and Hackney; by request of Administrative Office of the Courts.

Brief History: Passed House: 3/3/21, 97-0.

Committee Activity: Law & Justice: 3/15/21, 3/18/21 [DP-WM].

Ways & Means: 4/01/21, 4/02/21 [DP].

Floor Activity: Passed Senate: 4/7/21, 48-1.

Brief Summary of Bill

- Creates an additional superior court position for Thurston County on November 1, 2021.
- Requires the county legislative authority to document their approval and agreement to pay for the position to be effective.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Pedersen, Chair; Dhingra, Vice Chair; Padden, Ranking Member; McCune, Assistant Ranking Member; Darneille, Holy, Kuderer, Salomon and Wagoner.

Staff: Tim Ford (786-7423)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

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.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Schoesler, Assistant Ranking Member, Capital; Braun, Carlyle, Conway, Darneille, Dhingra, Gildon, Hasegawa, Hunt, Keiser, Lias, Mullet, Muzzall, Pedersen, Rivers, Van De Wege, Wagoner, Warnick and Wellman.

Staff: Trevor Press (786-7446)

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 recommendation is based on an objective workload analysis developed annually by the Administrative Office of the Courts. 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. The Washington State Constitution provides that the state and county share the cost for superior court judges. A superior court judge's benefits and one-half of the salary are paid by the state. The county pays one-half of the judge's salary. 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.

Thurston County has eight superior court judges.

Summary of Bill: An additional judicial position is created for Thurston County, changing the number of superior court judges from eight to nine. The additional judicial position is effective only if the Thurston County legislative authority documents its approval of the position and agrees to pay for the expenses of the additional position without compensation from the state. The position would then be created on November 1, 2021.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

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

Staff Summary of Public Testimony (Law & Justice): PRO: This bill would add

another judge to the Thurston County superior court. There is a backlog of cases which is detrimental to justice and disproportionately impacting the poor and people of color. The county has already approved payment for their share of the position. The last judicial position was created for Thurston County in 1966 and filled in 2000. Since then caseloads have risen 24.7 percent and our population has grown by 40 percent.

Persons Testifying (Law & Justice): PRO: Representative Jessica Bateman, Prime Sponsor; Pamela Hartman Beyer, Thurston County Superior Court.

Persons Signed In To Testify But Not Testifying (Law & Justice): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: Thurston County needs another superior court judge. Some portion of the need is from state cases, but is still needed for other case types. Courts cannot turn away litigants seeking protection. There is a need for more officers beyond what would be provided in this bill.

Persons Testifying (Ways & Means): PRO: Pamela Hartman Beyer, Thurston County Superior Court.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.