

HOUSE BILL REPORT

SB 5003

As Reported by House Committee On:
Civil Rights & Judiciary

Title: An act relating to increasing the number of district court judges in Snohomish county.

Brief Description: Increasing the number of district court judges in Snohomish county.

Sponsors: Senators Lovick, Robinson, Dhingra, Lias, Nobles, Stanford and Torres; by request of Administrative Office of the Courts.

Brief History:

Committee Activity:

Civil Rights & Judiciary: 3/2/23, 3/10/23 [DP].

Brief Summary of Bill

- Increases the number of district court judges in Snohomish County from eight to nine.

HOUSE COMMITTEE ON CIVIL RIGHTS & JUDICIARY

Majority Report: Do pass. Signed by 10 members: Representatives Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Cheney, Entenman, Goodman, Peterson, Rude, Thai and Walen.

Staff: John Burzynski (786-7133).

Background:

District courts are courts of limited jurisdiction. District court civil jurisdiction includes various specified civil actions and proceedings, including actions for breach of contract and actions for injury to persons and property, if the amount at issue does not exceed \$100,000, exclusive of interest, costs, and attorney's fees. A district court's criminal jurisdiction is

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concurrent with the superior court for all misdemeanors, gross misdemeanors, and violations of city ordinances. Additionally, district courts have jurisdiction over domestic violence protection order proceedings, sexual assault protection order proceedings, stalking protection order proceedings, anti-harassment protection order proceedings, name change proceedings, and certain lien foreclosure proceedings. District courts also have limited jurisdiction over temporary extreme risk protection orders.

The number of district court judges in each county is established by law. Snohomish County currently has eight elected district court judges. State law authorizes the Washington Supreme Court to provide recommendations to the Legislature to change the number of district court judges in a county based on an objective workload analysis that considers available judicial resources and caseload activity. The Administrator for the Courts must examine the need for new district court judge positions under an objective workload analysis and such analysis must be reviewed by the Board for Judicial Administration (BJA), which shall make recommendations to the Legislature. The BJA has issued a recommendation to increase the number of district court judges by one position for Snohomish County.

State law requires that, before an additional district judge position becomes effective, the legislative authority of the county must approve the new position and agree to pay the expenses associated with the position out of county funds and without reimbursement from the state. However, if the Legislature approves an increase in the base number of district judges, such increase and all related costs may be paid for by the county from moneys provided through the County Criminal Justice Assistance Account.

Summary of Bill:

The number of statutorily authorized district court judges in Snohomish County is increased from eight to nine.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) There are currently eight district court judges for Snohomish County, and this bill will authorize one additional judge.

This is the first request for a new district court judge in Snohomish County in 25 years. Snohomish County is one of the fastest growing counties with a population of over 830,000 people, and the population increasing by over 15 percent from 2010 to 2019. The population has increased dramatically over the last 25 years and the superior court has grown, but no new judicial positions have been added to the district court. In comparison, Pierce County had 32 percent less filings than Snohomish County did last year but is authorized for 11 district court judges.

The most recent Judicial Needs Assessment indicates Snohomish County District Court requires 9.5 judicial officers. This bill is consistent with the area's judicial needs estimate and will reduce the district court's reliance on pro tem judges.

A new judge would serve in the Cascade District. This district is very efficient. The population in the Cascade District has grown by over 15 percent since 2010, and experienced a 14 percent increase in civil protection orders, and a 30 percent or 38 percent increase in criminal cases. The increased workload is a result of adding the City of Arlington to the jurisdiction.

The direct impact of adding another judicial officer is to allow Snohomish County to expand its therapeutic court options. Current re-licensing programs and mental health courts have been successful, but these kinds of programs are only possible if there are enough judges. These are not mandatory programs and will be the first cut if the county's case load continues to increase without a new judicial officer being added.

The Snohomish County Council has voted in support to fund this position. The new judicial position is funded locally, so there is no fiscal impact to the state.

(Opposed) None.

Persons Testifying: Senator John Lovick, prime sponsor; Jennifer Rancourt, Snohomish County District Court; and Haily Perkins, Administrative Office of the Courts.

Persons Signed In To Testify But Not Testifying: None.