

HOUSE BILL REPORT

SB 6222

As Reported by House Committee On:
Civil Rights & Judiciary

Title: An act relating to the number of district court judges.

Brief Description: Concerning the number of district court judges.

Sponsors: Senators Wagoner, Dhingra and Lovick.

Brief History:

Committee Activity:

Civil Rights & Judiciary: 2/20/24, 2/21/24 [DP].

Brief Summary of Bill

- Authorizes a county legislative authority, rather than the state Legislature, to increase the number of district court judges in the county.

HOUSE COMMITTEE ON CIVIL RIGHTS & JUDICIARY

Majority Report: Do pass. Signed by 11 members: Representatives Taylor, Chair; Farivar, Vice Chair; Walsh, Ranking Minority Member; Graham, Assistant Ranking Minority Member; Abbarno, Cheney, Entenman, Goodman, Peterson, Thai and Walen.

Staff: Yelena Baker (786-7301).

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 attorneys' fees. A district court's criminal jurisdiction is concurrent with the superior court for all misdemeanors, gross misdemeanors, and

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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 base number of district court judges in each county is established by law. Any increase in the number of full and part-time district judges must be determined by the Legislature after receiving a recommendation from the Washington Supreme Court. The Washington Supreme Court must make its recommendations to the Legislature based on an objective workload analysis that considers available judicial resources and caseload activity.

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 state Legislature's role in changing the number of district court judges is removed. Instead, a county legislative authority is authorized to increase the number of district court judges in the county after receiving a recommendation from the Washington Supreme Court.

State law establishing the number of district judges in each county is amended to provide that the stated number is the minimum number, rather than the exact number, of district judges in each county.

Appropriation: None.

Fiscal Note: Requested on February 18, 2024.

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) A district court judge's salary and benefits are paid solely by the county and not by the state, so this bill will have no fiscal impact on the state, but it will have a significant positive impact on the delivery of judicial services to local communities.

The bill will significantly decrease the time it takes to add new judges. Adding a judge is a multiyear data-driven process. By the time the court has gathered sufficient information to ask their local council to fund a position, the court is already stretched very thin. The court must then go through the entire budget process in front of the council and then petition the Legislature to add a position. That extra step adds several months of delay, which causes the court to be stretched impossibly thin and means scrambling to find substitute judges and pro tem judges to provide coverage. This adds an unbudgeted and unnecessary expense.

The bill will also allow new district court judges to attend judicial college in a timelier fashion.

(Opposed) None.

Persons Testifying: Jennifer Rancourt, District and Municipal Court Judges' Association.

Persons Signed In To Testify But Not Testifying: None.