

SENATE BILL REPORT

SB 5155

As of January 18, 2023

Title: An act relating to the court of appeals.

Brief Description: Concerning the court of appeals.

Sponsors: Senators Wagoner and Dhingra; by request of Court Of Appeals.

Brief History:

Committee Activity: Law & Justice: 1/19/23.

Brief Summary of Bill

- Removes certain administrative matters from state law for the Court of Appeals.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Tim Ford (786-7423)

Background: The state Court of Appeals is an intermediate level appellate court and contains three divisions, each serving a defined geographic area of the state, headquartered in Seattle, Tacoma, and Spokane. The Court of Appeals has jurisdiction for appeals from superior courts within those geographic areas, and also appellate jurisdiction over review of final decisions of administrative agencies certified by the Superior Court.

A specific number of judges must be elected from a geographic district within each division. The number of judges for each division is set forth in law and generally reflects the population of the geographic area. When reviewing cases, the Court of Appeals sits in panels of three judges, and case decisions are rendered or disposed by a concurrence of a majority of the panel. All case decisions are in writing, stating the grounds of the decision, and if the decision is of precedential value it must be published as opinions of the court.

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.

Certain Administrative Matters in State Law. State law requires that panels of the first division must be comprised as directed by the chief judge of that division. Judges may sit in other divisions, and cases may be transferred between the divisions as directed by written order of the Chief Justice of the State Supreme Court. While regular sessions are held at the headquarters of each division, state law provides that the Court of Appeals may hold sessions in cities as may be designated by rule.

Summary of Bill: The bill removes certain language from state law addressing the administrative matters of the Court of Appeals for:

- providing that panels of judges in the first division are to be comprised of judges as directed by the chief judge of that panel; and
- providing for the transfer of judges or cases between divisions as directed by the Chief Justice of the State Supreme Court.

Court rules governing these administrative matters are not affected by the bill.

Appropriation: None.

Fiscal Note: Not requested.

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

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