

FINAL BILL REPORT

SB 5155

C 184 L 23
Synopsis as Enacted

Brief Description: Concerning the court of appeals.

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

Senate Committee on Law & Justice
House Committee on Civil Rights & Judiciary

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.

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: Certain language is removed as follows from state law addressing the administrative matters of the Court of Appeals:

- 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

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.

- 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.

Votes on Final Passage:

Senate 49 0

House 98 0

Effective: July 23, 2023