

SENATE BILL REPORT

ESHB 1734

AS REPORTED BY COMMITTEE ON WAYS & MEANS, APRIL 5, 1993

Brief Description: Adding new judges to the court of appeals.

SPONSORS: House Committee on Judiciary (originally sponsored by Representatives Appelwick, Ludwig, Dellwo, Silver, Padden, Peery, Ogden, Mastin, Scott and Johanson; by request of Administrator for the Courts)

HOUSE COMMITTEE ON JUDICIARY

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON LAW & JUSTICE

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

Signed by Senators A. Smith, Chairman; Quigley, Vice Chairman; Hargrove, McCaslin, Nelson, Niemi, Rinehart, Roach, and Spanel.

Staff: Tom McBride (786-7448)

Hearing Dates: April 1, 1993

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass as amended by Committee on Law & Justice.

Signed by Senators Rinehart, Chairman; Spanel, Vice Chairman; Anderson, Bauer, Bluechel, Cantu, Gaspard, Hargrove, Hochstatter, Jesernig, McDonald, Moyer, Niemi, Owen, Quigley, Snyder, Sutherland, Talmadge, West, Williams, and Wojahn.

Staff: Cindi Holmstrom (786-7715)

Hearing Dates: April 5, 1993

BACKGROUND:

The state Court of Appeals is divided into three divisions. The divisions are designated as 1, 2 and 3, and are respectively headquartered in Seattle, Tacoma, and Spokane. Each of the divisions is further subdivided into three districts.

There are currently 17 judges on the Court of Appeals. Division 1, Seattle, has nine judges; Division 2, Tacoma, and 3, Spokane, each have four judges.

Judges of the Court of Appeals are elected by district to six-year terms. They must be residents of the districts from

which they are elected, and must have been admitted to the practice of law in this state for at least five years.

Periodically, the Office of the Administrator for the Courts analyzes the workloads of the various levels of state courts. The office is recommending increases in the number of judges in each of the divisions of the Court of Appeals.

SUMMARY:

The number of judges on the Court of Appeals is increased by six, from 17 to 23.

The number of judges in the 1st Division, Seattle, is increased by three, from nine to 12. Two of the new judges are assigned to District 1 of the 1st Division, which is King County. The other new judge is assigned to District 3, which is Island, San Juan, Skagit, and Whatcom counties.

The number of judges in the 2nd Division, Tacoma, is increased by two, from four to six. One of the new judges is assigned to District 2 of the 2nd Division, which is Clallam, Grays Harbor, Jefferson, Kitsap, Mason, and Thurston counties. The other new judge is assigned to District 3, which is Clark, Cowlitz, Lewis, Pacific, Skamania, and Wahkiakum counties.

The number of judges in the 3rd Division, Spokane, is increased by one, from four to five. The new judge is assigned to District 3 of the 3rd Division, which is Chelan, Douglas, Kittitas, Klickitat, and Yakima counties.

Upon the effective date of each new position, it is to be filled by appointment by the Governor. At the next general election following the appointment, the position will be filled by election. Staggered six-year terms are provided.

The new positions are dependent upon funding in a biennial budget.

SUMMARY OF PROPOSED SENATE AMENDMENT:

Typographical errors are corrected.

Appropriation: none

Revenue: none

Fiscal Note: available

Effective Date: The bill contains an emergency clause and takes effect immediately. However, the new positions only become effective when funding is provided in the budget.

TESTIMONY FOR (Law & Justice): None

TESTIMONY AGAINST (Law & Justice): None

TESTIFIED (Law & Justice): No one

TESTIMONY FOR (Ways & Means):

The Court of Appeals is unable to keep up with the growing caseload. Recognizing the budget situation and the need to prioritize, the Division 2 positions are the first priority.

TESTIMONY AGAINST (Law & Justice): None

TESTIFIED (Law & Justice): Judge Dean Morgan, Court of Appeals
(pro)