

HOUSE BILL ANALYSIS

HB 2504

Title: An act relating to superior court commissioners.

Brief Description: Providing additional authority for superior court commissioners.

Sponsors: Representatives Constantine, Lambert, Kagi and Esser.

Brief Summary of Bill

- Expands the power of the superior court commissioner to hear preliminary criminal matters.

HOUSE COMMITTEE ON JUDICIARY

Staff: Mark Friendshuh (786-7291).

Background:

The state constitution provides for the appointment of court commissioners who may perform some duties of the superior court. (Art. 4 ú 23.) The constitution allows commissioners to take depositions and perform other duties "as may be prescribed by law." The duties which may be prescribed are restricted, however, to those that could be performed "at chambers"-- actions not before a jury.

The specific powers of the commissioner are enumerated in RCW 2.24.040 and include the power to hear probate matters, petitions for adoptions, small claims appeals, and uncontested civil matters; grant adjournments and defaults; and administer oaths.

Summary of Bill:

The commissioner is given the power to conduct a variety of preliminary duties for adult criminal cases. These duties include presiding over arraignments and preliminary appearances, appointing counsel, setting bail, setting trial and hearing dates, and, in some cases, accepting pleas.

Fiscal Note: Available.

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

Office of Program Research