HOUSE BILL REPORT
HB 2681

As Passed Legislature

Title: An act relating to allowing compensation for part-time judges' judicial services.

Brief Description: Allowing compensation for part-time judges' judicial services.

Sponsors: Representatives Goodman, Rodne and Kelley.

Brief History:
  Committee Activity:
    Judiciary: 1/28/10, 2/1/10 [DP].
  Floor Activity:
    Passed House: 2/11/10, 97-0.
    Senate Amended.
    Passed Senate: 2/27/10, 39-0.
    House Concurred.
    Passed House: 3/8/10, 97-0.
    Passed Legislature.

Brief Summary of Bill

- Allows a part-time district court judge to receive compensation for judicial services provided in another district court.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Pedersen, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Kelley, Kirby, Ormsby, Roberts and Ross.

Staff: Edie Adams (786-7180).

Background:

District courts are county courts that have jurisdiction over misdemeanor and gross misdemeanor criminal cases and most civil actions involving claims of $75,000 or less. District court judges are elected to four-year terms. In order to serve as a district court judge,

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a person must be a registered voter of the district court district and an attorney admitted to practice law in Washington. In a district with a population of less than 5,000, the person does not have to be an attorney if the person has passed the qualifying exam for lay judges by January 1, 2003. There are currently 88 full-time district judges and 24 part-time district judges serving in the district courts.

When a district judge is unable to serve due to an absence, disqualification, or other reason, the district court may appoint a judge *pro tempore* to temporarily serve in place of the district judge, or the district court may "borrow" a district judge from another district court on a temporary basis.

A judge *pro tempore* must meet the same requirements as a district judge, except that a judge *pro tempore* need not be a registered voter of the district. Compensation for a district judge *pro tempore* is determined by the local legislative authority.

A district judge may temporarily provide judicial services in another district court if the judge is able to be absent from the judge's own district and the county legislative authority approves the absence of the judge. A visiting district judge is entitled to reimbursement for subsistence, lodging, and travel expenses. These expenses are paid by the visited district and must be approved in advance by the county legislative authority for the visited district.

Summary of Bill:

A visiting part-time district judge may receive compensation for judicial services if the county legislative authority in the visited district approves the payment in advance and the visiting judge is not serving in a judicial capacity in the judge's own district.

Appropriation: None.

Fiscal Note: Not requested.

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) This bill will provide a level playing field for part-time district judges. Unlike *pro tem* judges, part-time district judges do not receive compensation for the judicial services they provide when sitting as a visiting judge. These part-time judges are taking time away from their private practices and this creates a disincentive to serving as a visiting judge. The use of part-time judges should be encouraged since they have more experience than many *pro tem* judges.

(Opposed) None.

Persons Testifying: Representative Goodman, prime sponsor; and William Faubion, Wahkiakum District Court.

Persons Signed In To Testify But Not Testifying: None.