

HOUSE BILL REPORT

SB 5102

As Passed House:

April 6, 2009

Title: An act relating to increasing the number of district court judges in Benton county.

Brief Description: Adding two district court judges in Benton county.

Sponsors: Senators Hewitt, Delvin and Kline; by request of Board For Judicial Administration.

Brief History:

Committee Activity:

Judiciary: 3/11/09 [DP].

Floor Activity

Passed House: 4/6/09, 92-2.

Brief Summary of Bill

- Increases the number of statutorily authorized district court judges in Benton County from three to five.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 10 members: Representatives Pedersen, Chair; Goodman, Vice Chair; Shea, Assistant Ranking Minority Member; Flannigan, Kelley, Kirby, Ormsby, Roberts, Ross and Warnick.

Staff: Courtney Barnes (786-7194)

Background:

The number of district court judges in each county is set by statute. Any change in the number of full- and part-time judges in a county's district court is determined by the Legislature after receiving a recommendation from the Supreme Court.

The Supreme Court's recommendation is based on an objective workload analysis developed annually by the Administrative Office of the Courts (AOC). The objective workload analysis takes into account available judicial resources and the caseload activity of the court. The

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

AOC may consult with the Board of Judicial Administration and the District and Municipal Court Judges' Association to develop procedures and methods of applying the objective workload analysis.

The AOC completes a judicial impact note, which identifies any cost to the state or local government, for each recommendation to change the number of district court judges in a county. In order for an additional judicial position to become effective, the legislative authority of the affected county must approve the position and agree to pay, out of county funds and without reimbursement from the state, expenses associated with the new position. Changes in the number of district court judges may not be made in a year in which judicial elections for district court are held.

Benton County has three elected district court judges. According to the AOC's objective workload analysis, an increase in the number of district court judges in Benton County is recommended.

Summary of Bill:

The number of statutorily authorized district court judges in Benton County is increased from three to five.

Appropriation: None.

Fiscal Note: Available.

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) The bill gives Benton County the statutory authority to hire two new district court judges. The objective workload analysis demonstrates Benton County's need for two additional judges. The bill will allow Benton County to replace two court commissioners with two new district court judges.

(Opposed) None.

Persons Testifying: Senator Kline; and Mellani McAleenan, Board for Judicial Administration.

Persons Signed In To Testify But Not Testifying: None.