

SENATE BILL REPORT

SB 5575

As Reported by Senate Committee On:
Law & Justice, January 20, 2022
Ways & Means, February 7, 2022

Title: An act relating to adding additional superior court judges in Snohomish county.

Brief Description: Adding additional superior court judges in Snohomish county.

Sponsors: Senators Lovick, Robinson, Das, Lias, Nobles, Padden, Salomon, Stanford and Wellman; by request of Administrative Office of the Courts.

Brief History:

Committee Activity: Law & Justice: 1/13/22, 1/20/22 [DPS-WM].
Ways & Means: 2/03/22, 2/07/22 [DPS (LAW)].

Brief Summary of First Substitute Bill

- Creates two additional superior court positions for Snohomish County.
- Requires the county legislative authority to document their approval and agreement to pay for the positions to be effective.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5575 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Dhingra, Chair; Trudeau, Vice Chair; Padden, Ranking Member; McCune, Assistant Ranking Member; Honeyford, Kuderer, Pedersen, Salomon and Wagoner.

Staff: Tim Ford (786-7423)

SENATE COMMITTEE ON WAYS & MEANS

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.

Majority Report: That Substitute Senate Bill No. 5575 as recommended by Committee on Law & Justice be substituted therefor, and the substitute bill do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler, Assistant Ranking Member, Capital; Honeyford, Ranking Minority Member, Capital; Braun, Carlyle, Conway, Dhingra, Gildon, Hasegawa, Hunt, Keiser, Mullet, Muzzall, Pedersen, Rivers, Van De Wege, Wagoner, Warnick and Wellman.

Staff: Shani Bauer (786-7468)

Background: The number of superior court judges in each county is set by statute. Any change in the number of full and part-time judges in a county's superior court is determined by the Legislature after receiving a recommendation from the Board for Judicial Administration (BJA). The BJA recommendation is based on an objective workload analysis developed annually by the Administrative Office of the Courts. The objective workload analysis takes into account available judicial resources and the caseload activity of the court.

Superior court judges and court commissioners hear felony and other criminal matters, civil matters, domestic relations matters, guardianship and probate matters, juvenile matters as well as child dependency cases, appeals from lower courts, and appeals from state administrative agencies. The Washington State Constitution provides that the state and county share the cost for superior court judges. A superior court judge's benefits and one-half of the salary are paid by the state. The county pays one-half of the judge's salary. 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.

Snohomish County has 15 superior court judges.

Summary of Bill (First Substitute): Two additional judicial positions are created for Snohomish County, changing the number of superior court judges from 15 to 17. The additional judicial position is effective only if the Snohomish County legislative authority documents its approval of the positions and agrees to pay for the expenses of the additional positions without compensation from the state. The positions would then be created on July 1, 2022.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on July 1, 2022.

Staff Summary of Public Testimony on First Substitute (Law & Justice): PRO: Justice delayed is justice denied. The pandemic put every institution in chaos including the courts. The backlog of cases places an enormous burden on our courts and the people waiting for justice. This bill addresses the delay by adding two new judges. Snohomish county is one of the fastest growing counties. The court is the heart of civic life. The funding is in the county budget and these two positions are completely supported by the county council.

The last time we sought an increase was in 1997 but not filled until 2007. Our population has doubled since the 1990s. Prior to the pandemic there was an increase in court filings and more cases are going to jury trials instead of settling. We are doing a lot of work over zoom but the criminal cases can be dismissed if they are not brought in a timely way. There is a right to a speedy trial. The supreme court decision in the Blake case adds another increase of daily cases related to possession for either dismissal or re-sentencing. We have an urgent need for these two additional judge positions.

Persons Testifying (Law & Justice): PRO: Senator John Lovick, Prime Sponsor; Millie Judge, Judge of the Snohomish County Superior Court and Chair of the Budget & Finance Committee; Brittany Gregory, Administrative Office of the Courts; Josh Weiss, Snohomish County.

Persons Signed In To Testify But Not Testifying (Law & Justice): No one.

Staff Summary of Public Testimony on First Substitute (Ways & Means): PRO: There is an imminent need to increase judges in Snohomish County. For the last five years, the Judicial Needs Assessment has consistently identified Snohomish County as understaffed for Superior Court Judges. The county's population has nearly doubled since 1997 and there is a 67 percent increase in cases going to trial. Further, since the shutdown for Covid, there has been an unprecedented backlog of cases, particularly those requiring criminal trials. These judicial positions are needed in order to ensure timely access to justice. The Snohomish County Council has included its share of the funding in the current budget.

Persons Testifying (Ways & Means): PRO: Millie Judge, Snohomish County Superior Court; Annika Vaughn, Snohomish County; Adam Cornell, Snohomish County Prosecuting Attorney; Brittany Gregory, Administrative Office of the Courts.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.