

SENATE BILL REPORT

SB 5931

As Reported by Senate Committee On:
Law & Justice, February 3, 2022

Title: An act relating to appointment of judges pro tempore in the court of appeals.

Brief Description: Concerning appointment of judges pro tempore in the court of appeals.

Sponsors: Senators Wagoner and Dhingra; by request of Court Of Appeals.

Brief History:

Committee Activity: Law & Justice: 2/01/22, 2/03/22 [DP].

Brief Summary of Bill

- Authorizes the chief judge of any division of the court of appeals to appoint any regularly elected or qualified judge to serve as judge pro tempore within that division.
- Authorizes the chief judge of any division of the court of appeals to appoint any judge in that division with an expired term to serve as judge pro tempore within that division to complete their cases, or other judicial business.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

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)

Background: Whenever necessary for the prompt and orderly administration of justice, the

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chief justice of the supreme court of the state of Washington may appoint any regularly elected and qualified judge of the superior court or any retired judge of a court of record in this state to serve as judge pro tempore of the court of appeals. No judge pro tempore appointed to serve on the court of appeals may serve more than ninety days in any one year.

If the term of a judge of the court of appeals expires with cases or other judicial business pending, the chief justice of the supreme court of the state of Washington, upon the recommendation of the chief presiding judge of the court of appeals, may appoint the judge to serve as judge pro tempore of the court of appeals, whenever necessary for the prompt and orderly administration of justice. No judge may be appointed more than one time and no appointment may exceed sixty days.

Summary of Bill: The chief judge of any division of the court of appeals may appoint any regularly elected or qualified judge to serve as judge pro tempore within that division. A regularly elected or qualified judge is a judge of a court of general jurisdiction, any retired judge of the court of appeals, or any active or retired justice of the supreme court of this state.

The chief judge of any division of the court of appeals may appoint any judge in that division with an expired term to serve as judge pro tempore within that division to complete their cases, or other judicial business.

Appropriation: None.

Fiscal Note: Not requested.

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

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

Staff Summary of Public Testimony: PRO: Our courts are laboring under a back load of cases. This bill utilizes resources already available. Retired judges can be appointed as pro tem judges to relieve the work. The bill would simplify and expedite the process of appointing a pro tem judge. We may need to appoint judges intermittently to wrap up work. There will be no impact on costs.

Persons Testifying: PRO: Senator Keith Wagoner, Prime Sponsor; Judge Bill Bowman, Washington State Court of Appeals.

Persons Signed In To Testify But Not Testifying: No one.