

HOUSE BILL REPORT

SSB 5467

As Reported By House Committee On:

Law & Justice

Title: An act relating to the size of the state supreme court.

Brief Description: Reducing the size of the state supreme court.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Smith, McCaslin, Gaspard, Deccio, Wojahn, Snyder, Haugen, Morton, Long, Hale, Rinehart, Newhouse, Loveland, McDonald, Bauer, Oke and Winsley; by request of Supreme Court).

Brief History:

Committee Activity:

Law & Justice: 3/31/95 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 16 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Smith; Thibaudeau and Veloria.

Staff: Bill Perry (786-7123).

Background: The state constitution provides that the number of judges of the Washington State Supreme Court shall be five, but allows the Legislature to increase that number. Since 1909, the number of judges of the supreme court has been set by statute at nine.

Judges of the supreme court are elected to six-year terms. Three judges are elected at each biennial general election.

Summary of Bill: The statute that sets the number of judges of the supreme court is amended. The number of judges of the court will be reduced by attrition from nine to seven. After the effective date of the act, vacancies on the court will not be filled until the number of judges is reduced to seven.

Vacancies can occur by an incumbent notifying the secretary of state two weeks before an election filing period that he or she is not seeking reelection. Vacancies can also occur by death, resignation, removal, conviction for a felony or any offense involving a violation of the oath of office, failure to take the oath of office, or the voiding of an election.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This is a government efficiency measure that will save money and improve the court's ability to process its workload. Reducing the size of the court will bring the state into line with the majority of other states. Experience has shown that a seven member court will be more efficient.

Testimony Against: The current size of the court represents the populist tradition of the state and insures greater diversity on the court than would a smaller number of judges.

Testified: Chief Justice Barbara Durham, Washington State Supreme Court (pro); Mike Patrick, Washington State Council of Police Officers (pro); Justice James Anderson, retired Washington State Supreme Court Justice (pro); and Larry Shannon, Washington State Trial Lawyers Association (con).