

SENATE BILL REPORT

SHB 2295

As Reported By Senate Committee On:
Law & Justice, February 18, 1998

Title: An act relating to court of appeals judicial positions.

Brief Description: Revising procedures for staggering of terms for new court of appeals positions.

Sponsors: House Committee on Law & Justice (originally sponsored by Representatives Sheahan and Costa; by request of Court of Appeals).

Brief History:

Committee Activity: Law & Justice: 2/18/98 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Hargrove, Kline, Long, Stevens and Thibaudeau.

Staff: Dick Armstrong (786-7460)

Background: The state Court of Appeals is divided into three "divisions." The divisions are headquartered in Seattle, Tacoma, and Spokane. Each of the divisions is also divided into three "districts."

In 1993, the Legislature increased the number of judges in the Court of Appeals from 17 to 23. The positions took effect only as they were specifically funded in the state budget. The new positions were to be filled by appointment followed by an election at the next November general election for staggered terms and then election to six-year terms of office.

The new positions were to take effect over various dates to create staggered six-year terms. The statute creating the new positions includes several dates and timing provisions relating to the filling of the new positions and the length of the initial terms of the new positions. Several of these date and timing references are now obsolete.

Two of the new positions created in 1993 have not been filled. These unfilled positions are in King County, which is the first district of division one of the state Court of Appeals. These two positions were to have been filled prior to the November 1993 election, or, if not by that date, then prior to the November 1999 election.

Summary of Bill: Obsolete dates are removed from the 1993 statute that created six new judicial positions on the court of appeals. Dates relating to the two unfilled positions are adjusted.

The initial full six-year terms of the two positions remaining to be filled in the first district of division one are to begin in January 2001, following the November 2000 general election. If the effective date of the initial filling of the positions is too late for the positions to appear on the November 1999 ballot, then the initial full elected term is to begin in January 2007, following the November 2006 general election.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: This bill is really just technical in nature and adjusts the time periods for filling the judicial positions. Obsolete language is deleted.

Testimony Against: None.

Testified: Chuck Foster, Court of Appeals Judges.