

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2295**

Chapter 26, Laws of 1998

55th Legislature  
1998 Regular Session

COURT OF APPEALS JUDICIAL POSITIONS--STAGGERING OF TERMS

EFFECTIVE DATE: 6/11/98

Passed by the House February 6, 1998  
Yeas 93 Nays 0

CLYDE BALLARD  
**Speaker of the  
House of Representatives**

Passed by the Senate March 2, 1998  
Yeas 45 Nays 0

IRV NEWHOUSE  
**President of the Senate**

Approved March 12, 1998

GARY LOCKE  
**Governor of the State of Washington**

CERTIFICATE

I, Timothy A. Martin, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2295** as passed by the House of Representatives and the Senate on the dates hereon set forth.

TIMOTHY A. MARTIN  
**Chief Clerk**

FILED

March 12, 1998 - 4:03 p.m.

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2295**

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Passed Legislature - 1998 Regular Session

**State of Washington                      55th Legislature                      1998 Regular Session**

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

Read first time 01/20/98. Referred to Committee on .

1            AN ACT Relating to court of appeals judicial positions; and  
2 amending RCW 2.06.076.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4            **Sec. 1.** RCW 2.06.076 and 1993 c 420 s 2 are each amended to read  
5 as follows:

6            (1) Any judicial position created by section 1, chapter 420, Laws  
7 of 1993 shall be effective only if that position is specifically funded  
8 and is referenced by division and district in an omnibus appropriations  
9 act.

10           (2)(a) The full term of office for the judicial positions  
11 authorized pursuant to chapter 420, Laws of 1993 shall be six years.

12           (b) The authorized judicial positions shall be filled at the  
13 general election in the November immediately preceding the beginning of  
14 the full term except as provided in (d) and (e) of this subsection.

15           (c) The six-year terms shall be staggered as (~~provided in (c)(i)~~  
16 ~~through (iii) of this subsection.~~

17           (~~i~~)) follows: In the first division, the initial full terms of  
18 six years for the two positions in district 1 shall begin the second  
19 Monday in January following the general election held in (~~November~~

1 1993. If the effective dates for the judicial positions are later than  
2 the deadline to include them in the November 1993 election, the initial  
3 full terms shall begin the second Monday in January following the  
4 general election held in)) November ((1999)) 2000. ((The initial full  
5 term of six years for the position in district 3 shall begin on the  
6 second Monday in January following the general election held in  
7 November 1996.)) If the effective date for the judicial ((position  
8 is)) positions are later than the deadline to include it in the  
9 November ((1996)) 2000 election, the initial full term shall begin the  
10 second Monday in January following the general election held in  
11 November ((2002)) 2006.

12 (( (ii) In the second division, the initial full term of six years  
13 for the position in district 2 shall begin the second Monday in January  
14 following the general election held in November 1994. If the effective  
15 date of the judicial position is later than the deadline to include it  
16 in the November 1994 election the initial full term shall begin the  
17 second Monday in January following the general election held in  
18 November 2000. The initial full term for the position in district 3  
19 shall begin the second Monday in January following the general election  
20 held in November 1998. If the effective date of the judicial position  
21 is later than the deadline to include it in the November 1998 election,  
22 the initial full term shall begin the second Monday in January  
23 following the general election held in November 2004.

24 (iii) In the third division, the initial full term of six years for  
25 the position in district 3 shall begin the second Monday in January  
26 following the general election held in November 1994. If the effective  
27 date of the judicial position is later than the deadline to include it  
28 in the November 1994 election, the initial full term will begin the  
29 second Monday in January following the general election held in  
30 November 2000.))

31 (d) Upon becoming effective pursuant to subsection (1) of this  
32 section, the governor shall appoint judges to the additional judicial  
33 positions authorized in section 1, chapter 420, Laws of 1993. The  
34 appointed judges shall hold office until the second Monday in January  
35 following the general election following the effective date of the  
36 position. The appointed judges and other judicial candidates are  
37 entitled to run for the judicial position at the general election  
38 following appointment.

1 (e) The initial election for these positions shall be held in  
2 November following the effective date of the position. If the initial  
3 election of a newly authorized position is not held on a date which  
4 corresponds to the beginning of a full term as specified in (c)((~~i~~)  
5 ~~through (iii)~~) of this subsection, the election shall be for a partial  
6 term.

Passed the House February 6, 1998.

Passed the Senate March 2, 1998.

Approved by the Governor March 12, 1998.

Filed in Office of Secretary of State March 12, 1998.