

5696-S2

Sponsor(s): Senate Committee on Ways & Means (originally sponsored by Senators Roach, Swecker, Kline, Fairley, Schow, Oke, Anderson, Deccio, Zarelli, Morton, Sellar, McCaslin, Horn, Patterson, Hale, Johnson, Franklin, Rossi, Stevens and Hochstatter)

Brief Title: Balancing the powers of the commission on judicial conduct.

SB 5696-S2 - DIGEST

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Declares it is the intent of this act to: (1) Prevent a commission member who has developed a preconceived notion of the facts of a particular case from involvement in a commission determination on the merits;

(2) extend the same rights to a judge or justice as currently granted to the commission for summoning witnesses and compelling production and examination of documents;

(3) provide full access and discovery of investigation-related materials to the judge or justice under investigation;

(4) hold each commission member to the highest standards of the same Code of Judicial Conduct that they purport to administer; and

(5) codify the legal obligation of the commission to be subject to such rules as the Supreme Court may adopt.

Directs the commission to pay reasonable attorneys' fees and expenses incurred by any judge or justice in any confidential disciplinary proceeding where the commission initiates contact with the judge or justice or in a public hearing under chapter 2.64 RCW or related proceeding of the supreme court. Attorneys' fees paid under this section shall not exceed one hundred fifty dollars per hour. The total attorneys' fees and expenses paid to a judge or justice in a disciplinary action shall not exceed fifty thousand dollars.