
HOUSE BILL 2774

State of Washington

56th Legislature

2000 Regular Session

By Representatives Carrell, Constantine, Esser, Fortunato, Dickerson, Mulliken and Edwards

Read first time 01/20/2000. Referred to Committee on Judiciary.

1 AN ACT Relating to appointment of judges pro tempore; and amending
2 RCW 3.50.090 and 35.20.200.

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

4 **Sec. 1.** RCW 3.50.090 and 1984 c 258 s 112 are each amended to read
5 as follows:

6 The ~~((mayor shall, in writing, appoint))~~ presiding municipal court
7 judge may designate one or more persons as judges pro tem ((who shall
8 act)) to serve in the absence or disability of the ((regular)) elected
9 or duly appointed judges of ((a municipal)) the court ((or)),
10 subsequent to the filing of an affidavit of prejudice((. The judges
11 pro tem shall be qualified to hold the position of judge of the
12 municipal court as provided herein. The municipal court judges pro
13 tem)), or in addition to the elected or duly appointed judges when the
14 administration of justice and the accomplishment of the work of the
15 court make it necessary. The qualifications of a judge pro tempore
16 shall be the same as for judges as provided under RCW 3.50.040 except
17 that a judge pro tempore need not be a resident of the city or county
18 in which the municipal court is located. Judges pro tempore shall have
19 all of the powers of the duly appointed or elected judges when serving

1 as judges pro tempore of the court. Before entering on his or her
2 duties, each judge pro tempore shall take, subscribe, and file an oath
3 as is taken by a duly appointed or elected judge. Such pro tempore
4 judges shall receive such compensation as shall be fixed by ((the
5 ordinances of the legislative body of the city or town wherein the
6 municipal court is located. The term of the appointment shall be
7 specified in writing but in any event shall not extend beyond the term
8 of the appointing mayor)) ordinance by the municipality in which the
9 court is located and such compensation shall be paid by the
10 municipality.

11 **Sec. 2.** RCW 35.20.200 and 1996 c 16 s 2 are each amended to read
12 as follows:

13 The ((mayor)) presiding municipal court judge shall, from attorneys
14 residing in the city and qualified to hold the position of judge of the
15 municipal court as provided in RCW 35.20.170, appoint judges pro
16 tempore who shall act in the absence of the regular judges of the court
17 or in addition to the regular judges when the administration of justice
18 and the accomplishment of the work of the court make it necessary. The
19 ((mayor)) presiding municipal court judge may appoint, as judges pro
20 tempore, any full-time district court judges serving in the county in
21 which the city is situated. ((The judges of the municipal court shall
22 promulgate rules establishing general standards for the use of judges
23 pro tempore. A copy of said rules shall be filed with the legislative
24 authority of the city at the time of budget consideration. Such
25 appointments of attorneys shall be made from a list of attorneys in
26 accordance herewith furnished by the judges of the municipal court.))
27 The term of office must be specified in writing. While acting as judge
28 of the court, judges pro tempore shall have all of the powers of the
29 regular judges. Before entering upon his or her duties, each judge pro
30 tempore shall take, subscribe and file an oath as is taken by a
31 municipal judge. Judges pro tempore shall not practice before the
32 municipal court during their term of office as judge pro tempore. Such
33 municipal judges pro tempore shall receive such compensation as shall
34 be fixed by ordinance by the legislative body of the city and such
35 compensation shall be paid by the city except that district court

1 judges shall not be compensated by the city other than pursuant to an
2 interlocal agreement.

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