

# HOUSE BILL REPORT

## HB 2472

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**As Reported by House Committee On:**  
Judiciary

**Title:** An act relating to the administrative office of the courts.

**Brief Description:** Correcting references to the administrative office of the courts.

**Sponsors:** Representatives Lantz and Esser; by request of Administrator for the Courts.

**Brief History:**

**Committee Activity:**

Judiciary: 1/29/02, 2/1/02 [DP].

**Brief Summary of Bill**

- Changes the name of the Office of the Administrator for the Courts to the Administrative Office of the Courts (AOC).
- Removes the appointment age limit of 60 years for the administrator and changes the prohibition that the administrator and assistants not practice law to a prohibition on practicing law for remuneration.
- Changes the methodology for determining judicial need from a "weighted caseload analysis" to an "objective workload analysis."
- Instructs the AOC to administer funds that may be appropriated for improving the operation of the courts and provide support for court coordinating councils.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 9 members: Representatives Lantz, Chair; Hurst, Vice Chair; Carrell, Ranking Minority Member; Boldt, Dickerson, Esser, Jarrett, Lovick and Lysen.

**Staff:** Edie Adams (786-7180).

**Background:**

The Office of the Administrator for the Courts (OAC) is charged with administering various aspects of the state court system, such as fostering court efficiency, training

personnel, designing forms, developing standards, and controlling costs. The Administrator for the Courts (administrator) is appointed by the Washington Supreme Court from a list of five persons submitted by the Governor. Neither the administrator nor assistants may practice law during their tenure with the OAC. In addition, the administrator may not be over the age of 60 when appointed to office.

One of the duties of the OAC is to examine the need for new superior court and district court judicial positions. The OAC must use a weighted caseload analysis that takes into account the time required to hear all the cases in a particular court and the amount of time existing judges have available to hear cases in that court.

During the 2000 interim, the Board for Judicial Administration formed the Project 2001 Committee to study and make recommendations on ways to improve the operation of the courts. The final report of the Project 2001 Committee calls on the Board for Judicial Administration to promote the establishment of court coordination councils in each jurisdiction, to be composed of trial court judges, clerks, court administrators, lawyers, citizens, and other local officials. The councils are to work toward maximum utilization of judicial and other court resources by first developing and then implementing comprehensive trial court coordination plans.

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### **Summary of Bill:**

A variety of changes are made with respect to the OAC relating to the office's functions and duties.

The name of the Office of the Administrator for the Courts is changed to the Administrative Office of the Courts (AOC). References throughout the code are changed to reflect the name change.

The requirement that the Administrator for the Courts (administrator) not be over 60 years old at the time of appointment is removed and references to the administrator as "he" are removed and replaced with gender-neutral terms. The existing prohibition on the practice of law, directly or indirectly, by the administrator and assistants is clarified to provide that the administrator and assistants may not practice law for remuneration in the state.

The weighted caseload analysis that is used by the AOC to examine the need for new judicial positions is replaced with an "objective workload analysis" that takes into account available judicial resources and the caseload activity of each court.

The duties of the AOC are amended to include administering state funds for improving the operation of the courts and providing support for court coordinating councils, under the direction of the Board for Judicial Administration.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

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

**Testimony For:** Changing to an objective workload analysis will provide more flexibility in developing a procedure for determining judicial need. The weighted caseload analysis has some inherent problems, including that it is based on old data that is very difficult to update. The last time the weights were updated for superior courts was in 1991. Changes in the types of cases that are brought and how certain types of cases are handled makes the weights less accurate. The OAC started working with the superior courts two years ago to develop a model that addresses some of the problems with the weighted caseload analysis. The process has led to the development of an objective input-output model that is a better predictor of judicial need.

This bill also includes a number of housekeeping changes left over from last year, including clarifying that attorneys in the office may engage in pro bono legal work and providing that the OAC must support court coordinating councils. In addition, the bill changes the name of the office.

**Testimony Against:** None.

**Testified:** Representative Lantz, prime sponsor; and Mary McQueen, Office of the Administrator for the Courts.