

HOUSE BILL REPORT

SB 6292

As Passed House:

March 8, 2002

Title: An act relating to authorizing lay judicial officers.

Brief Description: Authorizing lay judicial officers.

Sponsors: By Senators Kline and Johnson.

Brief History:

Committee Activity:

Judiciary: 2/25/02, 2/28/02 [DP].

Floor Activity:

Passed House: 3/8/02, 73-22.

Brief Summary of Bill

- Requires all district and municipal court judges to be admitted to the practice of law in Washington or, in districts or municipalities with less than 5,000 population, to have passed the qualifying examination for a lay judicial officer by January 1, 2003.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 7 members: Representatives Lantz, Chair; Hurst, Vice Chair; Dickerson, Esser, Jarrett, Lovick and Lysen.

Minority Report: Without recommendation. Signed by 2 members: Representatives Carrell, Ranking Minority Member; and Boldt.

Staff: Edie Adams (786-7180).

Background:

A person must meet certain qualifications in order to serve as a judge of a district or municipal court.

To serve as a district court judge, a person must be a registered voter of the district court

district and must be either: (1) a lawyer admitted to practice in Washington; (2) a person who has been elected and served as a judge in Washington; or (3) in districts of less than 5,000 population, a person who has passed the qualifying examination for the office of district judge as provided in court rule. General Rule 8 of the court rules contains requirements with respect to the qualifying examination for lay candidates for judicial office.

To serve as a municipal court judge, in addition to citizenship and residency requirements, the person must be admitted to practice law in Washington, except that in municipalities with a population of less than 5,000, the person does not have to be an attorney and there is no requirement that the person pass a qualifying examination.

Summary of Bill:

A candidate for judge of a district or municipal court must be an attorney admitted to practice law in Washington, except in districts or municipalities with less than 5,000 population. In a district or municipality with a population of less than 5,000, a candidate for judge may be a person who has passed the qualifying examination for a lay judicial officer by January 1, 2003.

The provision that allows a district court judge candidate to be a non-attorney but previously elected judge is deleted.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: There are currently eight lay judges. Under the bill, future lay judges will have to take and pass the qualifying examination by January 1, 2003. The bill has nothing to do with the quality of current lay judges. Rather, it is an issue of credibility and is intended to enhance the public perception of a professional judiciary.

Testimony Against: None.

Testified: Judge Peter Lukevich, District and Municipal Court Judges' Association.