

SENATE BILL REPORT

SB 6511

As Passed Senate, February 15, 2002

Title: An act relating to judges pro tempore.

Brief Description: Authorizing any sitting elected judge to be a judge pro tempore.

Sponsors: Senators Johnson, Kline, Costa and Winsley; by request of Administrator for the Courts.

Brief History:

Committee Activity: Judiciary: 1/28/02, 2/7/02 [DP].

Passed Senate: 2/15/02, 45-0.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Kastama, Vice Chair; Costa, Hargrove, Johnson, Long, Poulsen, Roach and Thibaudeau.

Staff: Dick Armstrong (786-7460)

Background: In November 2001, the voters of this state approved an amendment to the State Constitution (ESJR 8208) governing the use of judges pro tempore in superior court. The amendment provides that, in addition to those persons currently authorized to be a judge pro tempore in superior court, any sitting elected judge may serve as a judge pro tempore in superior court without the approval of the litigants, as provided by Supreme Court rule. The rule must take into consideration assignments of judges pro tempore based on the experience of such judges and provide for the right, exercisable once during the case, to a change of a judge pro tempore.

The Supreme Court has adopted Superior Court Administrative Rule 6 relating to the use of elected judges pro tempore. However, the state statute governing judges pro tempore in superior court has not been amended in a manner consistent with the State Constitution.

Summary of Bill: Any sitting elected judge of the Supreme Court, Court of Appeals, district or municipal court may serve as a judge pro tempore in superior court, as provided by Supreme Court rule.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The language in the statute implements the constitutional amendment passed by the voters in the recent general election in November.

Testimony Against: None.

Testified: PRO: Mary McQueen, Office of the Administrator of the Courts.