

SENATE BILL REPORT

SJR 8212

As of February 7, 2001

Brief Description: Specifying qualifications for judicial offices.

Sponsors: Senators Kline, Constantine, Sheahan, Kohl-Welles, Prentice, Winsley and Haugen.

Brief History:

Committee Activity: Judiciary: 2/8/01.

SENATE COMMITTEE ON JUDICIARY

Staff: Lilah Amos (786-7421)

Background: Currently judges of the Supreme and superior courts are required by the Washington Constitution to be admitted to the practice of law in Washington. There is no requirement regarding the length of time a supreme or superior court judge must have been licensed to practice law prior to taking office.

The Legislature is given authority under the Washington Constitution to create a Court of Appeals system, and pursuant to that authority, the Legislature by statute currently requires that judges of the Court of Appeals must have been admitted to the practice of law in Washington for five years prior to taking office.

Summary of Bill: An amendment to Article IV, Section 17 of the Washington Constitution concerning qualification of judges is submitted to the voters at the next general election. The amendment provides varying requirements for the length of time a judge must have been admitted to the practice of law in courts of record in Washington prior to taking office, as follows:

- (1) judges of the Supreme Court - 15 years,
- (2) judges of the Court of Appeals - ten years, and
- (3) judges of the superior court - five years.

The provisions of this joint resolution regarding Supreme and superior court judges are added to chapters governing these courts by SB 5785. The statutory requirement concerning the minimum licensing period required for judges of the Court of Appeals is changed from five years to the ten year requirement of this joint resolution in SB 5786.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Upon approval of voters at next general election.