

SENATE BILL REPORT

HB 1668

As Reported By Senate Committee On:
Judiciary, March 30, 2005

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

Brief Description: Changing provisions relating to the administrative office of the courts.

Sponsors: Representatives Lantz and Priest; by request of Board For Judicial Administration.

Brief History: Passed House: 2/28/05, 90-0.

Committee Activity: Judiciary: 3/23/05, 3/30/05 [DP, DNP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Esser, Hargrove, McCaslin, Rasmussen and Thibaudeau.

Minority Report: Do not pass.

Signed by Senator Carrell.

Staff: Aldo Melchiori (786-7439)

Background: The Administrator for the Courts (administrator) is appointed by the Washington Supreme Court from a list of five persons submitted by the Governor. The administrator manages various aspects of the state court system, such as fostering court efficiency, training personnel, designing forms, developing standards, and controlling costs. The administrator may not be over the age of 60 when appointed to office. Neither the administrator nor assistants may practice law during their tenure.

The administrator studies the need for new judicial positions using a weighted caseload analysis. In 2002, the Legislature changed the method for determining the need for new district court judges from the weighted caseload analysis to an "objective workload analysis," but did not enact this change with respect to superior court judge positions.

In 2000, 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 committee called on the Board for Judicial Administration to promote the establishment of court coordination councils in each jurisdiction. The councils work to promote the maximum utilization of judicial and other court resources by developing and implementing comprehensive trial court coordination plans.

Summary of Bill: The name of the Office of the Administrator for the Courts (OAC) 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 of the Courts is appointed from a list of five persons submitted by the Governor is removed. The administrator is appointed by the Supreme Court. The requirement that the administrator not be over 60 years old at the time of appointment is removed. The duties of the administrator are amended to include using state funds to improve the operation of the courts and providing support for court coordinating councils. The administrator and his or her assistants are authorized to practice law to provide pro bono legal services and legal services to family members, as long as the legal services do not interfere with official duties.

The weighted caseload analysis that is currently used to examine the need for new superior court judicial positions is replaced with the "objective workload analysis" currently used to determine the need for new district court judges.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: The name change more accurately reflects the nature of the office. It is not the administrator's office, it is an administrative office. The Governor agrees that the Supreme Court should have authority to appoint the administrator without the Governor's nomination.

Testimony Against: None.

Who Testified: PRO: Janet McLane, Administrator for the Courts.