

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1262

Chapter 142, Laws of 2005

59th Legislature
2005 Regular Session

JUDGE PRO TEMPORE--COMPENSATION

EFFECTIVE DATE: 7/24/05

Passed by the House February 25, 2005
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 8, 2005
Yeas 47 Nays 0

BRAD OWEN

President of the Senate

Approved April 22, 2005.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1262** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 22, 2005 - 3:37 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1262

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Representatives Takko, Walsh, Blake and Wallace; by request of Board For Judicial Administration

Read first time 01/19/2005. Referred to Committee on Judiciary.

1 AN ACT Relating to judicial compensation; and amending RCW
2 2.08.180.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 2.08.180 and 2003 c 247 s 1 are each amended to read
5 as follows:

6 A case in the superior court of any county may be tried by a judge
7 pro tempore, who must be either: (1) A member of the bar, agreed upon
8 in writing by the parties litigant, or their attorneys of record,
9 approved by the court, and sworn to try the case; or (2) pursuant to
10 supreme court rule, any sitting elected judge. Any action in the trial
11 of such cause shall have the same effect as if it was made by a judge
12 of such court. However, if a previously elected judge of the superior
13 court retires leaving a pending case in which the judge has made
14 discretionary rulings, the judge is entitled to hear the pending case
15 as a judge pro tempore without any written agreement.

16 A judge pro tempore shall, before entering upon his or her duties
17 in any cause, take and subscribe the following oath or affirmation:

18 "I do solemnly swear (or affirm, as the case may be,) that I will
19 support the Constitution of the United States and the Constitution of

1 the State of Washington, and that I will faithfully discharge the
2 duties of the office of judge pro tempore in the cause wherein
3 is plaintiff and defendant, according to the
4 best of my ability."

5 A judge pro tempore who is a practicing attorney and who is not a
6 retired justice of the supreme court or judge of a superior court of
7 the state of Washington, or who is not an active judge of a court of
8 the state of Washington, shall receive a compensation of one-two
9 hundred fiftieth of the annual salary of a superior court judge for
10 each day engaged in said trial, to be paid in the same manner as the
11 salary of the superior judge. A judge who is an active full-time judge
12 of a court of the state of Washington shall receive no compensation as
13 judge pro tempore. A judge who is an active part-time judge of a court
14 of the state of Washington may receive compensation as a judge pro
15 tempore only when sitting as a judge pro tempore during time for which
16 he or she is not compensated as a part-time judge. A justice or judge
17 who has retired from the supreme court, court of appeals, or superior
18 court of the state of Washington shall receive compensation as judge
19 pro tempore in the amount of sixty percent of the amount payable to a
20 judge pro tempore under this section, provided that a retired justice
21 or judge may decline to accept compensation.

Passed by the House February 25, 2005.
Passed by the Senate April 8, 2005.
Approved by the Governor April 22, 2005.
Filed in Office of Secretary of State April 22, 2005.