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SENATE BILL 5351

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State of Washington                      60th Legislature                      2007 Regular Session

By Senators Kline and Spanel; by request of Court Of Appeals

Read first time 01/17/2007. Referred to Committee on Judiciary.

1            AN ACT Relating to the court of appeals; amending RCW 2.06.040; and  
2 adding a new section to chapter 2.06 RCW.

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

4            **Sec. 1.** RCW 2.06.040 and 1987 c 43 s 1 are each amended to read as  
5 follows:

6            The court shall sit in panels of three judges and decisions shall  
7 be rendered by not less than a majority of the panel. In the  
8 determination of causes all decisions of the court shall be given in  
9 writing and the grounds of the decisions shall be stated. All  
10 decisions of the court having precedential value shall be published as  
11 opinions of the court. Each panel shall determine whether a decision  
12 of the court has sufficient precedential value to be published as an  
13 opinion of the court. Decisions determined not to have precedential  
14 value shall not be published. Panels in the first division shall be  
15 comprised of such judges as the chief judge thereof shall from time to  
16 time direct. Judges of the respective divisions may sit in other  
17 divisions and causes may be transferred between divisions, as directed  
18 by written order of the chief justice. The court may hold sessions in  
19 cities as may be designated by rule.

1       (~~No judge of the court shall be entitled to per diem or mileage~~  
2 ~~for services performed at either his legal residence or the~~  
3 ~~headquarters of the division of the court of which he is a member.))~~

4       The court may establish rules supplementary to and not in conflict  
5 with rules of the supreme court.

6       NEW SECTION.   **Sec. 2.**   A new section is added to chapter 2.06 RCW  
7 to read as follows:

8       The court of appeals is authorized to adopt rules providing for the  
9 reimbursement of work-related travel expenses from a judge's customary  
10 residence to the division headquarters of the court and back.  Judges  
11 elected from or residing in the county in which the division is  
12 headquartered are not eligible for reimbursement under this section.  
13 The rates of reimbursement are as set forth in RCW 43.03.050 and  
14 43.03.060.

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