

SENATE BILL REPORT

ESB 5135

As Passed Senate, February 26, 2009

Title: An act relating to the number of district court judges in King county and Spokane county.

Brief Description: Adding five district court judges in King county and reducing the number of judges in Spokane county.

Sponsors: Senators Kline, Tom, McDermott and Kohl-Welles; by request of Board For Judicial Administration.

Brief History:

Committee Activity: Judiciary: 1/16/09, 1/21/09 [DP].

Passed Senate: 2/26/09, 46-1.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell, Hargrove, Roach and Tom.

Staff: Juliana Roe (786-7438)

Background: Under current law, King County is permitted to elect 21 district court judges. Pursuant to RCW 3.34.020(5)(a), "[c]hanges in the number of district court judges may only be made by the legislature in a year in which the quadrennial election for district court judges is not held." Furthermore, a request for additional district court judges must go through the Administrator for the Courts, under the supervision of the Supreme Court, which then conducts a workload analysis and makes a recommendation to the Legislature. The Administrator for the Courts has found, through its objective workload analysis, that the workload for King County District Courts increased by 46 percent from 2004 to 2007. Therefore, the court seeks to phase in five new district court judge positions over the course of the next three years.

Summary of Engrossed Bill: There will be 23 district judges elected in King County in 2009, 25 in 2010, and 26 in 2011. The number of district court judges in Spokane County will be reduced from ten to eight.

Appropriation: None.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony: PRO: King County district courts are expecting a higher number of cases to come through the district courts this year than last year because of changes made by the King County Prosecutor's Office. A number of cases that historically have been heard in superior court will now be heard in district court. This increases the need for more district court judges.

The state puts money toward district courts in the form of a court improvement fund. There is no state fiscal impact in hiring more district court judges. The county pays the salary of district court judges. The county is expected to bring in money this year that is not reflected in the amount of money that has been brought in in the past due to, for example, red light camera infraction revenue.

Persons Testifying: PRO: Senator Kline, prime sponsor; Barbara Linde, King County District Court; Rick Bathum, King County District Court; Mellani McAleenan, Board for Judicial Administration.