

SENATE BILL REPORT

SSCR 8406

As Passed Senate, February 26, 1999

Brief Description: Resolving to determine whether or not the legislature should commence proceedings to remove Judge Grant Anderson from office.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Snyder, McCaslin, Franklin and Goings).

Brief History:

Committee Activity: Judiciary: 2/8/99 [DPS].

Passed Senate, 2/26/99, 46-2.

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Concurrent Resolution No. 8406 be substituted therefor, and the substitute concurrent resolution do pass.

Signed by Senators Heavey, Chair; Kline, Vice Chair; Costa, Goings, Haugen, Long, McCaslin and Roach.

Staff: Dick Armstrong (786-7460)

Background: The Commission on Judicial Conduct recently completed an investigation of Judge Grant Anderson, a superior court judge in Pierce County, for violations of the Code of Judicial Conduct. The commission found, by clear, cogent and convincing evidence, that Judge Anderson violated several provisions of the Code of Judicial Conduct in the administration of an estate in which he was originally the personal representative. The violations involved not revealing to the trustee of the estate's assets nearly \$32,000 in secret car payments made by a personal friend to the judge; remaining an officer of two corporations and conducting corporate business while a judge; and failing to report the secret car payments as compensation on his public disclosure filings for three years.

Article IV, Section 9 of the Washington Constitution allows the Legislature, by a three-fourths vote, to remove a judge for incompetency, corruption, malfeasance, or delinquency in office, or other sufficient cause.

Summary of Bill: The House and Senate Committees on Judiciary are to report to the Legislature by March 31, 1999, whether proceedings should be commenced under Article IV, Section 9 of the Washington Constitution to remove Judge Anderson as a judge of the superior court in Pierce County. If the committees recommend such proceedings, the charges against Judge Anderson are to be set forth for the Legislature to consider.

Appropriation: None.

Fiscal Note: Not requested.

Testimony For: None.

Testimony Against: None.

Testified: No one.

House Amendment(s): The House amendment expands the declarations of the resolution by specifically noting the Supreme Court's authority to discipline the judge, and by directing that the Legislature should await the results of the court's review. The Judiciary committees of the House and Senate are to schedule a meeting to review the matter within two weeks of the release of the decisions, or no later than December 10, 1999. The Substitute Concurrent Resolution requires the Judiciary committees to make recommendations regarding the removal of Judge Anderson by March 31, 1999.