

SENATE BILL REPORT

SSB 5472

As Passed Senate, March 9, 2001

Title: An act relating to courts of limited jurisdiction.

Brief Description: Changing provisions relating to termination of municipal courts and service contracts.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Johnson, Constantine and Kline; by request of Administrator for the Courts).

Brief History:

Committee Activity: Judiciary: 2/8/01, 2/13/01 [DPS].

Passed Senate: 3/9/01, 48-0.

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5472 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Constantine, Vice Chair; Costa, Johnson, Kastama, Long, McCaslin, Roach and Thibaudeau.

Staff: Dick Armstrong (786-7460)

Background: In the early 1980s there was concern that some municipalities were terminating their court system, or repealing those portions of their criminal codes that were expensive to enforce while retaining portions of the civil code that generated moneys for the city, and in effect transferring the cost of prosecution, adjudication, and sentencing of criminal cases to the counties.

In response, legislation was enacted that required cities that elected to terminate their court system, or repeal various criminal code provisions, to enter into an interlocal agreement whereby the city would pay the county a reasonable amount for the cost of essentially transferring criminal cases to the county.

In addition, the legislation provided that if a city terminated a municipal court or department, the city could not reestablish a municipal court or department for ten years.

The Board for Judicial Administration, as part of its court reformed package, is recommending that cities be given more flexibility to reestablish a municipal court system once it has contracted with the county for court services.

Summary of Bill: The current requirement that a city may not reestablish a municipal court or department for a ten-year period if the city has elected to eliminate its municipal court services and contract with a district court for court services is repealed.

Any city that has contracted for court services with the county must notify the county legislative authority of its intent to terminate the agreement not less than one year prior to February 1 of the year in which all district court judges are subject to election.

Any city that terminates an agreement for court services to be provided by district court may only terminate such agreement at the end of a four-year district court judicial term.

A county that wishes to terminate an agreement with a city for court services must give the city written notice not less than one year prior to the expiration of the agreement.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The current 10-year restriction is not needed; the cities need more flexibility. The bill will meet the needs of courts in the various counties. There is no need for this type of restriction it is really just a penalty provision.

Testimony Against: None.

Testified: PRO: Judge Michael Roewe, District Court Judges Association; Kirk Johns, WSBA.