

# HOUSE BILL REPORT

## HB 1292

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### As Passed Legislature

**Title:** An act relating to superior court judges.

**Brief Description:** Authorizing additional superior court judicial positions.

**Sponsors:** By Representatives Rockefeller, Delvin, Grant, Moeller, Hankins, Hinkle, Mastin, Eickmeyer, Orcutt, Wallace, Fromhold, Haigh, Holmquist, McMahan and Woods; by request of Administrative Office of the Courts.

### Brief History:

#### Committee Activity:

Judiciary: 2/4/03, 2/11/03 [DP];

Appropriations: 2/24/03, 2/25/03 [DP].

#### Floor Activity:

Passed House: 3/11/03, 92-1.

Passed Senate: 4/10/03, 47-0.

Passed Legislature.

### Brief Summary of Bill

- Increases the number of superior court judicial positions in the counties of Clark, Kitsap, Kittitas, and Benton/Franklin.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

**Staff:** Edie Adams (786-7180).

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### HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 26 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Sehlin, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Alexander, Boldt, Buck, Clements, Cody, Conway, Cox, DeBolt, Dunshee, Grant, Hunter, Kagi, Kessler, Linville, McDonald, McIntire, Miloscia, Pflug,

Ruderman, Schual-Berke, Sump and Talcott.

**Staff:** Holly Lynde (786-7153).

**Background:**

The Legislature sets by statute the number of superior court judges in each county. The Administrative Office of the Courts periodically performs an objective workload analysis to determine the need for additional judicial positions in the various counties.

Clark County has eight statutorily authorized judges. The objective workload analysis indicates a need for an additional three judicial officers in the county.

Kitsap County has seven statutorily authorized judges. The objective workload analysis indicates a need for one additional judicial officer in the county.

Kittitas County has one statutorily authorized judge. The objective workload analysis indicates a need of .2 additional judicial officers in the county.

Benton/Franklin County jointly has five statutorily authorized judges. The objective workload analysis indicates a need of 1.4 additional judicial officers in the county.

Retirement benefits and one-half of the salary of a superior court judge are paid by the state. The other half of the judge's salary and all other costs associated with a judicial position, such as capital and support staff costs, are borne by the county.

**Summary of Bill:**

Superior court judicial positions are increased in several counties as follows:

- Clark County - from eight to 10;
- Kitsap County - from seven to eight;
- Kittitas County - from one to two; and
- Benton/Franklin County - from five to six.

Effective dates for each of the new judicial positions are provided, but the actual starting date for a position may be established by the county's legislative authority upon request of the superior court and recommendation of the county executive authority.

The judicial positions are effective only if the county legislative authority of each county documents its approval and agrees to pay for the county's share of the expenses of the new positions.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (Judiciary) Counties have had substantial population growth and increased filings. In the criminal arena, courts are having difficulty meeting the speedy trial requirements. The increasing workload is jeopardizing the capacity of the courts to hear cases in a timely manner. Access delayed is access denied. We can't give cases the time they need in order to ensure justice.

**Testimony For:** (Appropriations) Clark County needs 13 judges, but currently there are 10. With the completion of new facilities, the county can now accommodate the new judges. The county's caseload is currently one of the highest in the state. In 2002 there was between an 8 and 10 percent growth in criminal filings, and they continue to increase at the same ratio. Clark County is experiencing difficulty in maintaining family and drug courts due to the lack of personnel. The county is facing financial need but the judicial workload is already there so staff are already processing cases. Therefore the staff-to-judge ratio will not increase at the same ratio as normal. Clark County does not use court reporters so there are savings incurred in that area, and costs can be held down overall to maintain the justice system for the county. The last time Kitsap County requested an additional judge was 1992. Over the last 10 years, total case filings have increased by 40 percent and felony filings have increased by more than 100 percent. The Kitsap County Commissioners support this bill. Benton/Franklin County last added a judge in 1982. During the last 10 years, filings have increase by 62 percent and the population has increased by 32 percent. Benton/Franklin County currently has 7 judges with a need of 8.4. As a small county, Kittitas lacks economy of scale and so does not have the ability to move judges around like the larger counties do to better manage the increasing workload.

**Testimony Against:** (Judiciary) None.

**Testimony Against:** (Appropriations) None.

**Testified:** (Judiciary) Representative Rockefeller, prime sponsor; Robert Harris, Clark County Superior Court; Jay Roof, Kitsap County Superior Court; Craig Matheson, Benton/Franklin County Superior Court; and Jeff Hall, Office of the Administrator for the Courts.

**Testified:** (Appropriations) Craig Matheson, Benton/Franklin County Superior Court; Robert Harris, Clark County Superior Court; and Jay B. Roof, Kitsap County Superior Court.