

HOUSE BILL REPORT

HB 1583

As Passed House:
February 12, 2004

Title: An act relating to requirements for issuing salary warrants for judges.

Brief Description: Changing requirements for issuing salary warrants for judges.

Sponsors: By Representatives Kirby and Campbell.

Brief History:

Committee Activity:

Judiciary: 2/11/03, 2/13/03 [DP].

Floor Activity:

Passed House: 2/28/03, 96-0.

Floor Activity:

Passed House: 2/12/04, 93-0.

Brief Summary of Bill

- Removes the requirement that a judge provide a particular affidavit before the judge can be paid.

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: Trudes Tango Hutcheson (786-7384).

Background:

The Administrator for the Courts (Administrator) is charged with administering various aspects of the state court system. Among other duties, the Administrator must collect and compile statistical data on business transacted by the courts. In addition, the Administrator must make recommendations to the Chief Justice of the Supreme Court regarding assignments of judges where courts are in need of assistance.

For the purposes of having the courts function at maximum efficiency and ensuring the equitable distribution of work, the Chief Justice may direct any judge to hold court in any county or district where there is a need. In addition, there are other more commonly used methods for judges to hear cases in other jurisdictions.

Before a salary warrant may be issued to a judge, the judge must provide an affidavit stating that he or she has complied with the Chief Justice's direction regarding assignments in other counties or districts and that he or she has complied with the Administrator's requests for information and statistical data regarding the court dockets.

Prior to 1997 the superior court judges were paid only once a month and the judge's salary warrant would not be issued by the county until the judge made an affidavit stating that no cause of action remained pending and undecided in the judge's court. That affidavit requirement was removed by legislation in 1997.

Summary of Bill:

A judge is no longer required to submit, as a prerequisite to payment, an affidavit stating that he or she has complied with the Chief Justice's direction regarding assignments to different counties or districts and the Administrator's requests for information and statistical data on the judge's court docket.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The option for the Chief Justice to ask a judge to go to a different county is not used very often. The affidavits judges must sign stating they have complied with the Chief Justice's request are not necessary anymore. There are other methods available for the Office of the Administrator for the Courts to collect data from courts, so the affidavit concerning that obligation is also not necessary.

Testimony Against: None.

Testified: Representative Kirby, prime sponsor; and Leonard Costello, Superior Court Judges Association and Office of the Administrator for the Courts.