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## Civil Rights & Judiciary Committee

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### HB 1047

**Brief Description:** Revising the authority of commissioners of courts of limited jurisdiction.

**Sponsors:** Representatives Jenkins, Stokesbary and Macri.

#### Brief Summary of Bill

- Expands the authority of a municipal court commissioner, subject to certain limitations.
- Authorizes a commissioner of a court of limited jurisdiction to solemnize marriages.

**Hearing Date:** 1/15/19

**Staff:** Ingrid Lewis (786-7289).

#### **Background:**

##### Municipal court commissioners.

Municipal courts are courts of limited jurisdiction created by a city or a town by ordinance. A municipal court has jurisdiction to hear cases involving infractions or crimes that are violations of city ordinances, domestic violence and anti-harassment petitions, and other jurisdiction as provided by statute. A municipal court judge may appoint one or more court commissioners.

The authority of a municipal court commissioner is limited. A commissioner who is authorized to hear or dispose of cases must be either a lawyer who is admitted to practice law in Washington, or a person who has passed the qualifying examination for lay judges in Washington. A court commissioner does not have the authority to preside over trials in criminal matters, or over jury trials in civil matters unless agreed to by all parties.

##### Solemnization of marriage.

Persons who are authorized to solemnize marriages are active or retired judicial officers and officials of religious organizations. Authorized judicial officers are judges of the Washington Supreme Court, Court of Appeals, superior courts, limited jurisdiction courts, and tribal courts of

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a federally recognized tribe, as well as commissioners of the Supreme Court, Court of Appeals, or superior courts. Authorized religious officials are any licensed or ordained minister, priest, imam, rabbi, or similar official of a religious organization.

**Summary of Bill:**

A municipal court commissioner has the same power, authority, and jurisdiction as an appointing municipal court judge, subject to the requirement that all parties must agree before a commissioner may preside over a criminal trial or a civil jury trial.

A commissioner of a court of limited jurisdiction is authorized to solemnize marriages.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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