

WSR 22-21-105
RULES OF COURT
STATE SUPREME COURT
[October 13, 2022]

IN THE MATTER OF THE PROPOSED) ORDER
AMENDMENTS TO GR 29—) NO. 25700-A-1466
PRESIDING JUDGE IN SUPERIOR)
COURT DISTRICT AND LIMITED)
JURISDICTION COURT DISTRICT)

The Board for Judicial Administration, having recommended the proposed amendments to GR 29—Presiding Judge in Superior Court District and Limited Jurisdiction Court District, and the Court having considered the proposed amendments, and having determined that the proposed amendments will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the proposed amendments as shown below are adopted.

(b) That the proposed amendments will be published in the Washington Reports and will become effective January 1, 2023.

DATED at Olympia, Washington this 13th day of October, 2022.

Johnson, J.
Madsen, J.
Owens, J.
Stephens, J.
Gonzalez, C.J.
Gordon McCloud, J.
Yu, J.
Montoya-Lewis, J.
Whitener, J.

GR 29

PRESIDING JUDGE IN SUPERIOR COURT DISTRICT AND LIMITED JURISDICTION COURT DISTRICT

(a) [Unchanged.]

(b) Selection, and Term, and Designation of Presiding Judge Pro Tempore-Single Judge Courts. In court districts or municipalities having only one judge, that judge shall serve as the Presiding Judge for the judge's term of office, and shall predesignate and prepare a Presiding Judge Pro Tempore to fulfill presiding judge duties in the case of illness, incapacity, resignation, death, or unavailability of the judge.

Commentary

In training and preparing the designated Presiding Judge Pro Tempore to fulfill presiding judge duties, a Presiding Judge from a single judge court should address the significant and nondelegable administrative, budgetary, and personnel responsibilities of a presiding judge under this court rule, any obligations under collective bargaining agreement(s) or law(s) applicable to court personnel, interjurisdictional relations, and executive and legislative branch collaborations.

If it becomes necessary for the Chief Justice to appoint a Presiding Judge Pro Tempore for a single judge court pursuant to RCW 2.56.040(2) or other authority, then the State Court Administrator or the Chief Justice may consider consulting with the local executive or legislative authorities prior to the appointment.

(c) Notification of Chief Justice. The Presiding Judge so elected shall send notice of the election of the Presiding Judge and Assistant Presiding Judge, and in cases of single judge courts, the predesignated Presiding Judge Pro Tempore, to the Chief Justice of the Supreme Court within 30 days of election or any new or changed Presiding Judge or Presiding Judge Pro Tempore designations.

(d)-(e) [Unchanged.]

(f) Duties and Authority. The judicial and administrative duties set forth in this rule cannot be delegated to persons in either the legislative or executive branches of government. A Presiding Judge may delegate the performance of ministerial duties to court employees; however, it is still the Presiding Judge's responsibility to ensure they are performed in accordance with this rule. In addition to exercising general administrative supervision over the court, except those duties assigned to clerks of the superior court pursuant to law, the Presiding Judge shall:

(1)-(11) [Unchanged.]

(12) Determine the qualifications of and establish a training program for Presiding Judges Pro Tempore predesignated under subsection (c), pro tem judges, and pro tem court commissioners; and

(13) [Unchanged.]

(g)-(1) [Unchanged.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.