

# FINAL BILL REPORT

## ESHB 1881

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### PARTIAL VETO

C 313 L 91

**Brief Description:** Changing the method for determining the number of district court judges.

By House Committee on Judiciary (originally sponsored by Representatives Appelwick, Padden, Paris, May, Winsley, Wood and D. Sommers).

House Committee on Judiciary  
Senate Committee on Law & Justice

**Background:** The base number of district court judges for each county is set by statute. A county may as a matter of right add one more full-time district judge, but otherwise is limited to adding new judges only when there is an increase in the population of the court's district.

A district court judge who serves a district of 40,000 or more people, or who is paid more than \$40,000, must be a full-time judge. Other judges are part-time.

In 1987, the Legislature required the administrator for the courts to study how a weighted caseload analysis might be used to determine the number of district judge positions and to present recommendations to the Legislature by January 1, 1989. The 1987 act stated that it is the intent of the Legislature that the weighted caseload method be the basis for determining additional district court positions.

**Summary:** After January 1, 1992, any changes in the number of district court judges will be determined by the Legislature based on a weighted caseload analysis. By December 1, 1991, the Supreme Court is to document the number of full and part-time district judges and develop a process to implement the use of a weighted caseload analysis.

Based on the data collected, the Supreme Court will recommend to the Senate Law and Justice Committee and the House Judiciary Committee that the number of district court judges in a particular county be increased or decreased. Along with each recommendation the administrator for the courts, under the supervision of the Supreme Court, must provide a state and local cost analysis. If new positions are recommended and adopted by the Legislature, a county

must approve the additions and agree to pay for them before the positions become effective. The county may pay for the new positions with funds from the Criminal Justice Account. The county may phase in a new position over two years from when the position becomes effective. If a county wishes to change the number of its district court judges, it must request the aid of the Supreme Court.

***Votes on Final Passage:***

House	97	0
Senate	38	0

***Effective:*** July 28, 1991

***Partial Veto Summary:*** The governor's partial veto removes an amendatory section of the bill that is inconsistent with the number of district court judges established in four counties by HB 1467. The partial veto does not affect the way in which the number of judges is to be established after January 1, 1992.