

SENATE BILL REPORT

HB 1675

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, MARCH 27, 1991

Brief Description: Establishing civil docket priority for parties over seventy years of age or terminally ill.

SPONSORS: Representatives Inslee, Riley, R. Meyers, Roland, Winsley, Ludwig, Orr, H. Myers and Wineberry.

HOUSE JUDICIARY COMMITTEE

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, Hayner, L. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

Staff: Jack Brummel (786-7428)

Hearing Dates: March 25, 1991; March 27, 1991

BACKGROUND:

Civil cases filed in several jurisdictions in the state may not go to trial for several months or even years. Unless a specific statute directs the court to set a hearing or trial within a specific time period, the court is not required to give any particular civil case priority on the trial docket. In some cases, elderly or terminally ill litigants die before their cases go to trial.

SUMMARY:

When setting civil cases for trial, unless otherwise provided by statute, upon motion of a party, the court must give priority to cases in which a party is frail and over 70 years of age or is suffering from a terminal illness.

Appropriation: none

Revenue: none

Fiscal Note: none requested

SUMMARY OF PROPOSED SENATE AMENDMENT:

Courts may give priority to cases in which a party is afflicted with a terminal illness. The emergency clause is deleted.

TESTIMONY FOR:

Some courts don't believe they have the discretion to prioritize civil cases. The bill makes it clear they can do so.

TESTIMONY AGAINST: None

TESTIFIED: Representative Inslee, prime sponsor (pro); Michele Radosevich, Washington State Trial Lawyers (pro)