

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1127

Chapter 299, Laws of 1991

52nd Legislature
1991 Regular Session

SUPERIOR COURT JUDGES--NEW POSITIONS

EFFECTIVE DATE: 7/28/91 - Except Section 2 which becomes effective on 1/1/92; Section 4 which becomes effective on 7/1/92; & Sections 1, 3, & 5 which become effective on 7/1/91.

Passed by the House March 14, 1991
Yeas 95 Nays 0

JOE KING
**Speaker of the
House of Representatives**

Passed by the Senate April 15, 1991
Yeas 47 Nays 0

JOEL PRITCHARD
President of the Senate

Approved May 20, 1991

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1127** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

May 20, 1991 - 2:01 p.m.

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE HOUSE BILL 1127

AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Sheldon, Hargrove, Appelwick, Forner, Paris, Vance, Scott, Wineberry, Jacobsen, Chandler, Wood, P. Johnson, Roland, R. Johnson, Haugen, Cantwell, Jones, May, Zellinsky, Brough, Basich, Lisk, Mitchell, Wynne, Miller, Moyer, Brekke and Sprenkle).

Read first time February 9, 1991.

1 AN ACT Relating to superior courts; amending RCW 2.08.061,
2 2.08.062, 2.08.063, 2.08.064, 2.08.065, and 2.32.180; creating new
3 sections; providing effective dates; and declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 2.08.061 and 1989 c 328 s 2 are each amended to read
6 as follows:

7 There shall be in the county of King no more than (~~forty-six~~)
8 fifty-eight judges of the superior court; in the county of Spokane ten
9 judges of the superior court; and in the county of Pierce nineteen
10 judges of the superior court. The King county legislative authority
11 may phase in the additional twelve judges, as authorized by the 1991
12 amendments to this section, over a period of time not to extend beyond
13 July 1, 1995.

1 **Sec. 2.** RCW 2.08.062 and 1990 c 186 s 1 are each amended to read
2 as follows:

3 There shall be in the counties of Chelan and Douglas jointly, three
4 judges of the superior court; in the county of Clark six judges of the
5 superior court; in the county of Grays Harbor (~~two~~) three judges of
6 the superior court; in the county of Kitsap seven judges of the
7 superior court; in the county of Kittitas one judge of the superior
8 court; in the county of Lewis two judges of the superior court.

9 **Sec. 3.** RCW 2.08.063 and 1988 c 66 s 1 are each amended to read as
10 follows:

11 There shall be in the county of Lincoln one judge of the superior
12 court; in the county of Skagit, (~~two~~) three judges of the superior
13 court; in the county of Walla Walla, two judges of the superior court;
14 in the county of Whitman, one judge of the superior court; in the
15 county of Yakima six judges of the superior court; in the county of
16 Adams, one judge of the superior court; in the county of Whatcom, three
17 judges of the superior court.

18 **Sec. 4.** RCW 2.08.064 and 1989 c 328 s 3 are each amended to read
19 as follows:

20 There shall be in the counties of Benton and Franklin jointly, five
21 judges of the superior court; in the county of Clallam, two judges of
22 the superior court; in the county of Jefferson, one judge of the
23 superior court; in the county of Snohomish, (~~eleven~~) thirteen judges
24 of the superior court; in the counties of Asotin, Columbia and Garfield
25 jointly, one judge of the superior court; in the county of Cowlitz,
26 three judges of the superior court; in the counties of Klickitat and
27 Skamania jointly, one judge of the superior court.

1 **Sec. 5.** RCW 2.08.065 and 1990 c 186 s 2 are each amended to read
2 as follows:

3 There shall be in the county of Grant, two judges of the superior
4 court; in the county of Okanogan, one judge of the superior court; in
5 the county of Mason, ~~((one))~~ two judges of the superior court; in the
6 county of Thurston, six judges of the superior court; in the counties
7 of Pacific and Wahkiakum jointly, one judge of the superior court; in
8 the counties of Ferry, Pend Oreille, and Stevens jointly, two judges of
9 the superior court; and in the counties of San Juan and Island jointly,
10 two judges of the superior court.

11 **Sec. 6.** RCW 2.32.180 and 1990 c 186 s 3 are each amended to read
12 as follows:

13 It shall be and is the duty of each and every superior court judge
14 in counties or judicial districts in the state of Washington having a
15 population of over thirty-five thousand inhabitants to appoint, or said
16 judge may, in any county or judicial district having a population of
17 over twenty-five thousand and less than thirty-five thousand, appoint
18 a stenographic reporter to be attached to the court holden by ~~((him))~~
19 such judge who shall have had at least three years' experience as a
20 skilled, practical reporter, or who upon examination shall be able to
21 report and transcribe accurately one hundred and seventy-five words per
22 minute of the judge's charge or two hundred words per minute of
23 testimony each for five consecutive minutes; said test of proficiency,
24 in event of inability to meet qualifications as to length of time of
25 experience, to be given by an examining committee composed of one judge
26 of the superior court and two official reporters of the superior court
27 of the state of Washington, appointed by the president judge of the
28 superior court judges association of the state of Washington:
29 PROVIDED, That a stenographic reporter shall not be required to be

1 appointed for the seven additional judges of the superior court
2 authorized for appointment by section 1, chapter 323, Laws of 1987, the
3 additional superior court judge authorized by section 1, chapter 66,
4 Laws of 1988, the additional superior court judges authorized by
5 sections 2 and 3, chapter 328, Laws of 1989, ((or)) the additional
6 superior court judges authorized by sections 1 and 2, chapter 186, Laws
7 of 1990, or the additional superior court judges authorized by sections
8 1 through 5 of this 1991 act. Appointment of a stenographic reporter
9 is not required for any additional superior court judge authorized
10 after July 1, 1991. The initial judicial appointee shall serve for a
11 period of six years; the two initial reporter appointees shall serve
12 for a period of four years and two years, respectively, from September
13 1, 1957; thereafter on expiration of the first terms of service, each
14 newly appointed member of said examining committee to serve for a
15 period of six years. In the event of death or inability of a member to
16 serve, the president judge shall appoint a reporter or judge, as the
17 case may be, to serve for the balance of the unexpired term of the
18 member whose inability to serve caused such vacancy. The examining
19 committee shall grant certificates to qualified applicants.
20 Administrative and procedural rules and regulations shall be
21 promulgated by said examining committee, subject to approval by the
22 said president judge.

23 The stenographic reporter upon appointment shall thereupon become
24 an officer of the court and shall be designated and known as the
25 official reporter for the court or judicial district for which he is
26 appointed: PROVIDED, That in no event shall there be appointed more
27 official reporters in any one county or judicial district than there
28 are superior court judges in such county or judicial district; the
29 appointments in each class AA county shall be made by the majority vote
30 of the judges in said county acting en banc; the appointments in class

1 A counties and counties of the first class may be made by each
2 individual judge therein or by the judges in said county acting en
3 banc. Each official reporter so appointed shall hold office during the
4 term of office of the judge or judges appointing him, but may be
5 removed for incompetency, misconduct or neglect of duty, and before
6 entering upon the discharge of his duties shall take an oath to perform
7 faithfully the duties of his office, and file a bond in the sum of two
8 thousand dollars for the faithful discharge of his duties. Such
9 reporter in each court is hereby declared to be a necessary part of the
10 judicial system of the state of Washington.

11 NEW SECTION. **Sec. 7.** Section 2 of this act shall take effect
12 January 1, 1992. Section 4 of this act shall take effect July 1, 1992.
13 Sections 1, 3, and 5 of this act are necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and shall take
16 effect July 1, 1991.

17 NEW SECTION. **Sec. 8.** The additional judicial positions
18 created by sections 1, 2, 3, 4, and 5 of this act shall be effective
19 only if each county through its duly constituted legislative authority
20 documents its approval of any additional positions and its agreement
21 that it will pay out of county funds, without reimbursement from the
22 state, the expenses of such additional judicial positions as provided
23 by statute.

24 NEW SECTION. **Sec. 9.** If specific funding for the purposes of
25 this act, referencing this act by bill number, is not provided by June
26 30, 1991, in the omnibus appropriations act, this act shall be null and
27 void.

Passed the House March 14, 1991.
Passed the Senate April 15, 1991.
Approved by the Governor May 20, 1991.
Filed in Office of Secretary of State May 20, 1991.