

HOUSE BILL REPORT

SSJR 8210

As Reported By House Committee On:

Law & Justice

Brief Description: Revising size and leadership of the state supreme court.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Smith, McCaslin, Gaspard, Deccio, Wojahn, Snyder, Haugen, Morton, Long, Hale, Rinehart, Newhouse, Loveland, McDonald, Palmer, Bauer, Oke and Winsley; by request of Supreme Court).

Brief History:

Committee Activity:

Law & Justice: 3/31/95 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 16 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Appelwick, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Campbell; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Robertson; Smith; Thibaudeau and Veloria.

Staff: Bill Perry (786-7123).

Background: The state constitution directs that the chief justice of the Washington State Supreme Court is to preside over all sessions of the supreme court. The constitution also calls for the chief justice to preside in the Senate over impeachment trials of the Governor or Lieutenant Governor. A variety of statutes also give responsibility and authority to the chief justice. For instance, the chief justice is given authority over the operation of the Office of the Administrator for the Courts.

The state constitution prescribes the method for selecting the chief justice of the Washington State Supreme Court. The regularly elected judge of the supreme court having the shortest term left to serve is the chief justice. If two judges have the same shortest term left to serve, the other judges of the court are to pick the chief justice. In the absence of the chief justice, the judge with the next shortest term is to preside over the court.

Summary of Bill: The state constitution is amended to change the method of selection of the chief justice of the state supreme court.

A majority of the judges of the supreme court is to select one of the judges to be the chief justice for a four-year term. The chief justice serves at the pleasure of a majority of the court. The court is given rule making authority over the process of selecting or removing a chief justice. In the absence of the chief justice, a majority of the remaining judges is to select an acting chief justice.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Following voter approval at the next general election.

Testimony For: This change will provide greater continuity and improved leadership in the administration of the court and the judicial branch.

Testimony Against: None.

Testified: Chief Justice Barbara Durham, Washington State Supreme Court (pro); Mike Patrick, Washington State Council of Police Officers (pro); Justice James Anderson, retired Washington State Supreme Court Justice (pro); and Larry Shannon, Washington State Trial Lawyers Association (pro).