

HOUSE BILL REPORT

HB 1954

As Passed Legislature

Title: An act relating to compensation of a retired justice or judge acting as a judge pro tempore.

Brief Description: Permitting a retired judge acting as a judge pro tempore to decline compensation.

Sponsors: By Representatives Moeller and McMahan.

Brief History:

Committee Activity:

Judiciary: 2/27/03, 2/28/03 [DP].

Floor Activity:

Passed House: 3/11/03, 92-0.

Passed Senate: 4/16/03, 46-0.

Passed Legislature.

Brief Summary of Bill

- Allows a retired judge to decline to accept compensation when serving as a judge pro tem in the superior court.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

Staff: Bill Perry (786-7123).

Background:

If no judge is available from among a county's elected superior court judges, a judge *pro tempore* may be assigned to a case. Pursuant to court rule, an elected judge from another court may serve as a judge pro tem. Otherwise, the parties to the case may, with court approval, agree to any member of the bar as a judge pro tem.

Pay for a judge pro tem is as follows:

- A sitting judge who is acting as a judge pro tem receives no extra pay.
- A member of the bar who is not a retired judge and who is acting as a judge pro tem receives 1/250th of a superior court judge's annual salary for each day of trial.
- A retired judge who is acting as a judge pro tem receives 60 percent of 1/250th of a superior court judge's annual salary for each day of trial.

Summary of Bill:

A retired judge is authorized to decline compensation for serving as a judge pro tem in superior court.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: Occasionally a retired judge wishes to volunteer as a pro tem. The current law requires the judge to take compensation. The bill will allow volunteers.

Testimony Against: None.

Testified: Representative Moeller, prime sponsor; and Jeff Hall, Board for Judicial Administration.