

# SENATE BILL REPORT

## SB 5069

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As Reported by Senate Committee On:  
Law & Justice, February 11, 2013

**Title:** An act relating to increasing the number of superior court judges in Benton and Franklin counties jointly.

**Brief Description:** Increasing the number of superior court judges in Benton and Franklin counties jointly.

**Sponsors:** Senators Schoesler, Hewitt and Kohl-Welles; by request of Board For Judicial Administration.

**Brief History:**

**Committee Activity:** Law & Justice: 1/23/13, 2/08/13, 2/11/13 [DP].

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### SENATE COMMITTEE ON LAW & JUSTICE

**Majority Report:** Do pass.

Signed by Senators Padden, Chair; Darneille, Kline, Ranking Member; Kohl-Welles, Pearson and Roach.

**Staff:** Jessica Stevenson (786-7465)

**Background:** The number of superior court judges in Washington counties is authorized by statute. The Administrator for the Courts examines the need for new superior court judge positions under an objective workload analysis. The analysis is a statistical model based on workload. The two key components in the analysis are the processed caseload and the number of available judicial officers. Once the analysis is complete, the Board for Judicial Administration reviews the results of the analysis and makes recommendations to the Legislature.

Article 4, section 13 of the Washington State Constitution provides that the state and the county share the cost for superior court judges. A superior court judge's benefits and one-half of the salary are paid by the state. The county pays one-half of the judge's salary.

Currently, Benton and Franklin counties jointly have six superior court judges.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:** An additional judicial position is created jointly in Benton and Franklin counties, changing the number of superior court judges from six to seven. The addition of this judicial position is contingent on Benton and Franklin counties documenting their approval of the position by county legislative authority, and agreeing that Benton and Franklin counties pay for the expenses of the additional position without compensation from the state.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Since criminal cases and civil trials have increased and commissioners cannot hear trials, there is a need for an additional judicial position and the objective workload analysis reflects this need. An additional judge would be helpful for the significant number of gang violence cases which require a lot of time. Backlog is being created by the lack of an additional judge, thus keeping cases in the system longer and requiring more time on each case. The county commissioners have not yet agreed to fund the position, but they anticipate funding may be allocated for this position in the next year or so.

**Persons Testifying:** PRO: Senator Schoesler, prime sponsor; Senator Brown; Judge Craig Matheson, Benton County Superior Court; Mellani McAleenan, Board for Judicial Administration; Charles Snyder, Whatcom County Superior Court.