

HOUSE BILL REPORT

HB 1061

As Passed House:
June 30, 2015

Title: An act relating to increasing the number of district court judges in Skagit county.

Brief Description: Increasing the number of district court judges in Skagit county.

Sponsors: Representatives Hayes, Lytton, Smith, Gregerson, Moeller and Buys; by request of Board For Judicial Administration.

Brief History:

Committee Activity:

Judiciary: 1/13/15, 1/15/15, 1/22/15 [DP];

General Government & Information Technology: 2/3/15, 2/6/15 [DP].

Third Special Session

Floor Activity:

Passed House: 6/30/15, 94-4.

Brief Summary of Bill

- Raises the number of statutorily authorized district court judges in Skagit County from two to three.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 12 members: Representatives Jinkins, Chair; Kilduff, Vice Chair; Rodne, Ranking Minority Member; Goodman, Haler, Hansen, Kirby, Klippert, Muri, Orwall, Stokesbary and Walkinshaw.

Minority Report: Do not pass. Signed by 1 member: Representative Shea, Assistant Ranking Minority Member.

Staff: Omeara Harrington (786-7136).

HOUSE COMMITTEE ON GENERAL GOVERNMENT & INFORMATION TECHNOLOGY

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.

Majority Report: Do pass. Signed by 7 members: Representatives Hudgins, Chair; Senn, Vice Chair; MacEwen, Ranking Minority Member; Caldier, Assistant Ranking Minority Member; McCabe, Morris and Takko.

Staff: Meghan Bunch (786-7119).

Background:

The number of district court judges in each county is set by statute. Any change in the number of full- and part-time judges in a county's district court is determined by the Legislature after receiving a recommendation from the Board for Judicial Administration (BJA). The BJA's recommendation is based on an objective workload analysis developed annually by the Administrative Office of the Courts. The objective workload analysis takes into account available judicial resources and the caseload activity of the court.

In order for an additional judicial position to become effective, the legislative authority of the affected county must approve the position and agree to pay the expenses associated with the new position out of county funds and without reimbursement from the state.

Skagit County has two elected district court judges. The BJA recommends an increase in the number of district court judge positions in Skagit County.

Summary of Bill:

The number of statutorily authorized district court judges in Skagit County is increased from two to three. This new position becomes effective only if the legislative authority of Skagit County approves the position and agrees that the county will pay the expenses of the additional position without reimbursement from the state.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony (Judiciary):

(In support) This legislation is on request of the BJA, and the county commissioners are in support. The population of Skagit County has grown significantly as has the caseload, but the bench has not grown. This legislation brings the county needed flexibility regarding the use of judges versus commissioners. Judges are more versatile than commissioners and can hear trials. In the 1980s a third judge was approved in statute, but the county decided to appoint a commissioner instead and the statute was changed back. The new judge position would replace a commissioner position, but the court will still be understaffed. Trying to schedule jury trials with two judges in a four-court system is difficult. There is a limit on how many days per year a judge pro tempore can be used. The only speedy trial dismissals

were during a sudden bump in impaired driving trials 10 years ago. However, speedy trial deadlines are a constant challenge.

(Opposed) None.

Staff Summary of Public Testimony (General Government & Information Technology):

(In support) The Board for Judicial Administration (BJA) requested this legislation. The population in Skagit County has significantly grown over the past 10 years, which greatly increases the workload for the courts. The Skagit County courts have been trying to make do with two judges and by using court commissioners. However, because of the volume of criminal trials and the fact that commissioners cannot preside over criminal trials, the county needs the flexibility of a third judge. This has no fiscal impact on the State, and Skagit County is ready and willing to provide its share of the costs for a third district court judge position. The bill has received support from county commissioners, Thurston and Skagit counties, and the District Court Judges Association.

(Opposed) None.

Persons Testifying (Judiciary): Representative Hayes, prime sponsor; Mellani McAleenan, Board for Judicial Administration; and David Svaren, Skagit County.

Persons Testifying (General Government & Information Technology): Representative Hayes, prime sponsor; and Brett Buckley, Thurston County Court.

Persons Signed In To Testify But Not Testifying (Judiciary): None.

Persons Signed In To Testify But Not Testifying (General Government & Information Technology): None.