

# SENATE BILL REPORT

## SB 5174

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As of January 20, 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:** Senators Bailey, Ranker, Pearson and Sheldon; by request of Board For Judicial Administration.

**Brief History:**

**Committee Activity:** Law & Justice: 1/20/15.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Aldo Melchiori (786-7439)

**Background:** District courts have jurisdiction over both criminal and civil cases. Criminal jurisdiction includes misdemeanor and gross misdemeanor cases that involve traffic or non-traffic offenses. Examples include driving while under the influence of intoxicating liquor or drugs, reckless driving, driving with a suspended driver's license, and assault in the fourth degree. Preliminary hearings for felony cases are also within the jurisdiction of the district courts.

Jurisdiction in civil cases includes damages for injury to individuals or personal property and contract disputes in amounts of up to \$75,000.

District courts also have jurisdiction over traffic and non-traffic infractions, defined as civil proceedings for which a monetary penalty, but no jail sentence, may be imposed. District courts have jurisdiction to issue domestic violence and antiharassment protection orders and no-contact orders. They also have jurisdiction to hear change-of-name petitions and certain lien foreclosures. Small claims are limited to money claims of up to \$5,000. These are filed and heard in the Small Claims Department of the district court.

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). BJA's recommendation is based on an objective workload analysis developed

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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.*

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. 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 pay the expenses of the additional position without reimbursement 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: An additional judge is justified given the current caseloads being experienced in the county. The caseloads have risen significantly in recent years. Skagit County will still not have enough judges, but this will help. The county commissioners support this effort.

**Persons Testifying:** PRO: Senator Bailey, prime sponsor; Judge David Svaren, Skagit County Superior Court.