

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1102

68th Legislature
2023 Regular Session

Passed by the House January 25, 2023
Yeas 96 Nays 0

**Speaker of the House of
Representatives**

Passed by the Senate March 22, 2023
Yeas 49 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1102** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1102

Passed Legislature - 2023 Regular Session

State of Washington

68th Legislature

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By Representatives Taylor and Timmons; by request of Administrative Office of the Courts

Prefiled 01/03/23. Read first time 01/09/23. Referred to Committee on Civil Rights & Judiciary.

1 AN ACT Relating to judge pro tempore compensation; and amending
2 RCW 2.08.180.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 2.08.180 and 2005 c 142 s 1 are each amended to read
5 as follows:

6 A case in the superior court of any county may be tried by a
7 judge pro tempore, who must be either: (1) A member of the bar,
8 agreed upon in writing by the parties litigant, or their attorneys of
9 record, approved by the court, and sworn to try the case; or (2)
10 pursuant to supreme court rule, any sitting elected judge. Any action
11 in the trial of such cause shall have the same effect as if it was
12 made by a judge of such court. However, if a previously elected judge
13 of the superior court retires leaving a pending case in which the
14 judge has made discretionary rulings, the judge is entitled to hear
15 the pending case as a judge pro tempore without any written
16 agreement.

17 A judge pro tempore shall, before entering upon his or her duties
18 in any cause, take and subscribe the following oath or affirmation:

19 "I do solemnly swear (or affirm, as the case may be,) that I will
20 support the Constitution of the United States and the Constitution of
21 the State of Washington, and that I will faithfully discharge the

1 duties of the office of judge pro tempore in the cause
2 wherein is plaintiff and defendant, according
3 to the best of my ability."

4 A judge pro tempore who is a practicing attorney (~~and who is not~~
5 ~~a retired justice of the supreme court or judge of a superior court~~
6 ~~of the state of Washington,~~) or who is (~~not an active~~) a retired
7 judge of a court of the state of Washington, shall receive a
8 compensation of one-two hundred fiftieth of the annual salary of a
9 superior court judge for each day engaged in said trial, to be paid
10 in the same manner as the salary of the superior judge. A judge who
11 is an active full-time judge of a court of the state of Washington
12 shall receive no compensation as judge pro tempore. A judge who is an
13 active part-time judge of a court of the state of Washington may
14 receive compensation as a judge pro tempore only when sitting as a
15 judge pro tempore during time for which he or she is not compensated
16 as a part-time judge. (~~A justice or judge who has retired from the~~
17 ~~supreme court, court of appeals, or superior court of the state of~~
18 ~~Washington shall receive compensation as judge pro tempore in the~~
19 ~~amount of sixty percent of the amount payable to a judge pro tempore~~
20 ~~under this section, provided that a)) A retired justice or judge may
21 decline to accept compensation.~~

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