2SHB 1909 - S COMM AMD
By Committee on Law & Justice

ADOPTED AS AMENDED 03/06/2026

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1) The legislature finds that:

(a) Washingtonians seeking legal help encounter barriers navigating disparate local court rules or incur increased costs for legal practitioners to navigate these systems;

(b) Specific groups of Washingtonians, such as those living in rural areas or in poverty, may be inequitably impacted by courts' disparate adoption of technology to create remote filing, record sharing, processes, procedures, and hearings;

(c) Disparate local rules and adoption of technology make it difficult for lawyers, including those engaging in pro bono and legal aid work, to practice in multiple jurisdictions, exacerbating Washington's "legal deserts";

(d) Washingtonians seeking legal help may encounter inequitable outcomes due to disparate funding levels and standards from jurisdiction to jurisdiction;

(e) City and county leaders have expressed significant and urgent concerns with their ability to fund and implement the Washington state bar association's new standards for indigent defense, which derive from a constitutional mandate; and

(f) Disparate funding between the state's court systems can cause inequitable and inconsistent means for jurisdictions to implement and uphold best legal practices and standards.

(2) The legislature further finds that potential solutions to these issues warrant further study, including data collection to better understand the impact to the public and the legal profession of disparate local rules, technology, and funding between Washington's court systems.

(3) Therefore, the legislature intends to convene and meaningfully engage stakeholders across Washington state, especially

those in rural areas, and to study the inefficiencies and inequities resulting from disparate local court rules, funding, and technology.

NEW SECTION. **Sec. 2.** The court unification task force is established to conduct a comprehensive analysis of the current Washington state court system, including the review of the inefficiencies and inequities resulting from disparate local court rules, technology adoption, and funding levels, and identify areas where a more unified or centralized approach to court operations may improve efficiency and uniformity in the delivery of court and judicial services, as well as consistency in outcomes and ease of access for those who use the court system, including victims, defendants, litigants, and counsel.

NEW SECTION. **Sec. 3.** (1) The court unification task force must include the following voting members:

(a) Two legislative members, one from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives. Of the members appointed under this subsection (1)(a), one member must be the current chair of the civil rights and judiciary committee of the house of representatives;

(b) Two legislative members, one from each of the two largest caucuses of the senate, appointed by the president of the senate. Of the members appointed under this subsection (1)(b), one must be the current chair of the law and justice committee of the senate;

(c) Three persons representing cities, appointed by the association of Washington cities as follows: (i) One person representing a municipality with a population of 500,000 or more inhabitants; (ii) one person representing a municipality with a population of 100,000 or more inhabitants, but fewer than 500,000 inhabitants; and (iii) one person representing a municipality with a population of fewer than 100,000 inhabitants;

(d) One person who is an elected county councilmember representing counties, appointed by the Washington state association of counties;

(e) One person representing court clerks, appointed by the Washington state association of county clerks;

(f) 13 members from the judicial branch, appointed by the chief justice in consultation with the board of judicial administration, supreme court, court of appeals, superior court judges association,

association of Washington superior court administrators, Washington association of juvenile court administrators, district and municipal court judges association, district and municipal court management association, misdemeanant probation association, and access to justice board. Of the members appointed under this subsection (1)(f): (i) Three members must be appointed to represent the superior court judges association, with at least one member representing western Washington and at least one member representing eastern Washington; and (ii) two members must be appointed to represent the district and municipal court judges association, with one member representing western Washington and the other member representing eastern Washington;

(g) One person appointed by and representing the tribal state court consortium;

(h) One person appointed by and representing the office of public defense;

(i) One person appointed by and representing the office of civil legal aid;

(j) One person appointed by and representing the administrative office of the courts;

(k) One person appointed by and representing the office of administrative hearings;

(l) One person appointed by and representing the Washington state bar association;

(m) One person appointed by and representing the Washington association of prosecuting attorneys;

(n) One person appointed by and representing the Washington state paralegal association;

(o) One person employed by and representing a community-based nonprofit organization that provides advocacy and support services, but not including legal representation, to court-involved individuals;

(p) One person appointed by and representing the Washington association of sheriffs and police chiefs;

(q) One person appointed by and representing an organization that represents survivors of gender-based violence;

(r) Two people who have lived experience as a litigant in a civil court matter and who are appointed by the office of civil legal aid. Of the members appointed under this subsection (1)(r): (i) One person must be from one of the five largest counties; and (ii) the other

person must be someone who was unrepresented in their civil legal matter; and

(s) One person who has lived experience as a formerly incarcerated person appointed by the office of public defense.

(2) The court unification task force may include the following members:

(a) One person may be appointed by the governor within existing resources to represent the governor's office as a nonvoting member of the task force; and

(b) One person may be appointed by the attorney general within existing resources to represent the attorney general's office as a nonvoting member of the task force.

(3) The task force shall have two cochairs. One cochair must be the chair of the civil rights and judiciary committee of the house of representatives and the other cochair must be the chief justice of the supreme court. The cochairs shall set the agenda and provide leadership and direction for the task force. The cochairs shall request the Washington state bar association to provide staff support to the task force.

(4) Members of the task force shall be reimbursed for travel expenses. Legislative members of the task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Reimbursement for nonlegislative members is subject to chapter 43.03 RCW. To ensure that the task force has diverse and inclusive representation of those affected by its work, task force members, including work group members, whose participation in the task force may be hampered by financial hardship may be compensated as provided in RCW 43.03.220.

NEW SECTION. **Sec. 4.** The court unification task force has the following powers:

(1)(a) The task force may form issue-specific subcommittees to focus on issues relevant to the work of the task force including, but not limited to: Information technology in courts; court capacity and funding; small and rural courts; facilities and personnel; court provided services; and the impact of legislative changes on court resources and processes.

(b) The task force shall define the scope of activity and subject matter focus required of each subcommittee.

(c) A subcommittee may set its own agenda and terminate upon completion of the subcommittee's work. Subcommittee meetings may occur in person or in a virtual or hybrid format.

(2) The voting membership of each subcommittee is composed of a subset of members appointed to the task force, as determined by majority vote of the task force. A subcommittee may invite persons with relevant expertise to participate in the subcommittee's work as nonvoting members on an ongoing, recurring, or one-time basis.

NEW SECTION. **Sec. 5.** (1) The court unification task force shall hold its first meeting by October 1, 2026, and shall complete its work by December 31, 2029. The task force shall hold no fewer than two meetings of the full membership of the task force each calendar year.

(2) By June 30, 2027, the task force shall submit a preliminary report to the interbranch advisory committee created in chapter 2.76 RCW and to the relevant committees of the legislature.

(3) By June 30, 2028, the task force shall submit its final report to the interbranch advisory committee created in chapter 2.76 RCW and to the relevant committees of the legislature. The final report must propose specific solutions for the efficient use of resources, including harmonizing any conflicting court policies, practices, and procedures, and include a long-term strategic plan to implement the proposed solutions.

(4) After the task force submits its final report and before June 30, 2029, the task force shall hold at least one meeting of the full membership of the task force.

NEW SECTION. **Sec. 6.** This chapter expires December 31, 2029.

NEW SECTION. **Sec. 7.** Sections 2 through 6 of this act constitute a new chapter in Title 2 RCW."

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On page 1, line 1 of the title, after "force;" strike the remainder of the title and insert "adding a new chapter to Title 2 RCW; creating a new section; and providing an expiration date."

EFFECT: • Increases the superior court judges association representation from 2 to 3 members of the task force.

• Requires a person with lived experience as a formerly incarcerated person.

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