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## Civil Rights & Judiciary Committee

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### HB 1621

**Brief Description:** Authorizing superior courts to appoint housing court commissioners.

**Sponsors:** Representatives Macri, Taylor, Peterson, Ramel, Ormsby and Hill.

<p style="text-align: center;"><b>Brief Summary of Bill</b></p> <ul style="list-style-type: none"><li>• Authorizes superior courts to appoint housing court commissioners for unlawful detainer actions.</li><li>• Specifies the limited powers of housing court commissioners.</li></ul>
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**Hearing Date:** 1/29/25

**Staff:** Eric Lopez (786-7290) and Yelena Baker (786-7301).

**Background:**

Article IV, section 23 of the Washington Constitution authorizes the superior courts to appoint up to three court commissioners in each county. Court commissioners have the power to perform all the duties of a superior court judge that do not require a trial by jury, and other duties provided by law to aid in the administration of justice.

The Legislature has authorized superior courts to appoint additional commissioners, including specialized mental health commissioners and criminal commissioners. These statutorily authorized commissioners are limited to the authority that they are expressly granted in statute.

All acts and proceedings of court commissioners are subject to revision by a superior court judge upon motion by a party.

**Summary of Bill:**

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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 part of the legislation nor does it constitute a statement of legislative intent.*

Superior courts in every county may appoint one or more attorneys to act as full- or part-time housing court commissioners to assist the court with unlawful detainer actions. The position of a housing court commissioner may not be created without prior consent of the county legislative authority. Superior courts are also authorized to appoint such investigators, stenographers, and clerks as the court finds necessary to carry on the work of the housing court commissioners.

The appointments are made by majority vote of the county's superior court judges. Housing court commissioners may also be appointed to any other commissioner position allowed by law.

A person appointed as a housing court commissioner must comply with the fairness and impartiality standards which prohibit presiding in an action to which the judicial officer is a party or in which the judicial officer is directly interested, or when the judicial officer or one of the parties believes that the parties cannot have an impartial hearing before the judicial office.

A person appointed as a housing court commissioner must also receive training from the Administrative Office of the Courts on the Residential Landlord-Tenant Act, the Manufactured/Mobile Home Landlord-Tenant Act, hearing processes in the context of evictions and unlawful detainer actions, and unlawful detainer procedures.

The judges of the superior court may authorize housing court commissioners to perform specified duties in relation to unlawful detainer actions, including:

- receive all applications, petitions, and proceedings filed in the superior court related to unlawful detainer actions for residential tenancies;
- order investigations and reports to support warrants, subpoenas, or orders;
- hold hearings and prepare written reports for inclusion in the superior court record;
- provide supervision as directed by the presiding judge; and
- ensure orders and findings are entered in the same manner as those in superior court cases.

All acts and proceedings of a housing court commissioner are subject to revision by the superior court.

**Appropriation:** None.

**Fiscal Note:** Requested on January 24, 2025.

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