HOUSE BILL REPORT
2SHB 1909

As Amended by the Senate

Title: An act relating to establishing the court unification task force.

Brief Description: Establishing the court unification task force.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Taylor, Goodman, Hill, Bernbaum, Farivar, Simmons, Peterson, Macri, Ortiz-Self, Walen, Ramel, Ryu, Thomas, Salahuddin, Duerr, Reed, Zahn, Entenman, Fey, Wylie, Richards, Cortes, Berry, Tharinger, Parshley, Berg, Santos, Ormsby, Pollet and Davis).

Brief History:

Committee Activity:

Civil Rights & Judiciary: 2/12/25, 2/18/25 [DPS];
Appropriations: 2/26/25, 2/7/26 [DP2S].

Floor Activity:

Passed House: 2/16/26, 56-36.
Senate Amended.
Passed Senate: 3/6/26, 30-18.

Brief Summary of Second Substitute Bill

- Establishes the Court Unification Task Force to conduct a comprehensive analysis of the Washington court system and to identify areas where a more centralized approach to court operations may improve uniformity in the delivery of court services and consistency in outcomes for those who use the court system.

HOUSE COMMITTEE ON CIVIL RIGHTS & JUDICIARY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Taylor, Chair; Farivar, Vice Chair; Entenman, Goodman, Peterson, Salahuddin, Thai and Walen.

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.

Minority Report: Without recommendation. Signed by 5 members: Representatives Walsh, Ranking Minority Member; Abell, Assistant Ranking Minority Member; Burnett, Graham and Jacobsen.

Staff: Yelena Baker (786-7301).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 18 members: Representatives Ormsby, Chair; Gregerson, Vice Chair; Macri, Vice Chair; Berg, Bergquist, Callan, Cortes, Doglio, Fitzgibbon, Leavitt, Lekanoff, Peterson, Pollet, Ryu, Springer, Stonier, Street and Thai.

Minority Report: Do not pass. Signed by 7 members: Representatives Penner, Assistant Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Corry, Dye, Keaton, Manjarrez and Marshall.

Minority Report: Without recommendation. Signed by 3 members: Representatives Couture, Ranking Minority Member; Connors, Assistant Ranking Minority Member; Burnett.

Staff: Yvonne Walker (786-7841).

Background:

Unified Courts Generally.
While there is no universally agreed-upon definition of the term, a "unified court system" is generally thought to have several components, including: (1) a simplified state trial court structure; (2) rulemaking authority in the state Supreme Court or judicial council; (3) governance responsibility in the Chief Justice of the Supreme Court, aided by a professional administrator and staff; and (4) state funding of all or most of the judicial system.

Court unification may also be divided into structural and administrative unification. Structural unification is related to trial court consolidation and simplification, and administrative unification relates to statewide judicial system management authority and responsibility.

Approximately half of the states define or describe themselves as "unified," either in their state constitution, state statutes, or court opinions. However, not all states adopt both structural and administrative unification, so given the lack of a uniform definition, one state's "unified judicial system" may look and function differently from another state's "unified court system" or "one court of justice."

Washington Court System.

Washington has a nonunified court system and comprises four levels of courts: the Supreme Court, the Court of Appeals, the superior courts, and courts of limited jurisdiction (district and municipal courts).

Funds to support Washington's courts come from state and local sources. Court operations funded directly by the state include those of the Supreme Court, the Court of Appeals, and half of the salaries and benefits of superior court judges. District and municipal courts are funded and administered locally by each county or city.

The Supreme Court is the final rulemaking authority for all of the state's courts. Though local courts make their own rules of procedure, these rules must conform to, or not conflict with, those established by the Supreme Court. In addition, the Supreme Court has administrative responsibility for the operation of the state court system.

Administrative Office of the Courts.
The Administrative Office of the Courts (AOC) provides support for Washington's nonunified courts by providing various services to the judicial branch, including developing operational budgets, evaluating judicial system functionality, compiling statewide court statistics, and providing continuing education for judges. The AOC operates under the direction of the Chief Justice of the Supreme Court and is managed by the State Court Administrator.

Board for Judicial Administration.
The Board for Judicial Administration (BJA) provides leadership to state courts and develops policies to enhance the administration of state courts. The BJA is chaired by the Chief Justice of the Washington Supreme Court and consists of the judges from all levels of court and other stakeholders.

Summary of Second Substitute Bill:

Creation of the Court Unification Task Force.
A task force is created to conduct a comprehensive analysis of the current state court system, including the review of inefficiencies and inequities resulting from disparate local court rules, technology adoption, and funding levels. The task force must 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.

Membership of the Court Unification Task Force.
The task force must include:

- one member from each of the two largest caucuses of the House of Representatives and Senate;
- three members representing municipalities of various population sizes;

- one member who is an elected county councilmember representing counties;
- one member representing court clerks;
- 12 members from the judicial branch appointed by the Chief Justice with input from various judicial agencies;
- one member representing the Tribal State Consortium;
- one member representing the Office of Administrative Hearings; and
- 12 members representing civil legal aid attorneys, prosecutors, public defense attorneys, paralegals, law enforcement, survivors of gender based violence, people with lived experience as a litigant in civil court, formerly incarcerated people, and several other agencies and associations.

In addition, the task force may include the following members:
- one person appointed by the Governor within existing resources to represent the Governor's Office as a nonvoting member of the task force; and
- one person appointed by the Attorney General within existing resources to represent the Office of the Attorney General as a nonvoting member of the task force.

The task force has 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 Washington Supreme Court. The cochairs set the agenda and provide leadership and direction for the task force.

Powers of the Court Unification Task Force.
The task force may form issue-specific subcommittees focused on a variety of topics including, but not limited to, information technology in courts, court capacity and funding, and small and rural courts. The task force must define the scope and focus of each subcommittee.

The voting members of each subcommittee are selected from the task force by majority vote. Nonvoting members may be invited to participate as needed.

The cochairs must request the Washington State Bar Association to provide staff support to the task force.

Timeline and Reporting.
The task force must hold its first meeting by October 1, 2026, and must complete its work by December 31, 2029. There must be at least two full task force meetings per year.

A final report that includes specific solutions for efficient resource use, recommendations to harmonize conflicting court policies, practices and procedures, and a long-term strategic plan for implementing proposed solutions must be submitted by June 30, 2028.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment increases from 12 to 14 the total number of members from the judicial branch by requiring the Superior Court Judges Association and the District and Municipal Court Judges Association to have three, instead of two, representatives each.

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 (Civil Rights & Judiciary):

(In support) Courts in different counties have different rules, and this creates delays and unnecessary barriers. The vast majority of time attorneys spend on cases is spent on researching court rules and filing procedures, speaking with clerks, and understanding the court's preferred forms and preferences. This is a frustrating use of time that limits the ability to represent people and disincentivizes people from accessing legal relief.

There is a gap in representation for poor people, which leaves them with few options to address legal issues. It is confusing for people when they are moved from one court to another. The task force includes the voices of those most impacted and will allow the community to provide feedback to the judicial branch.

Court resources, including technology, are disparate throughout the state. While there are mixed opinions on court unification, this bill opens the discussion regarding court capacity and the need for more resources. Other states with uniform court systems provide an opportunity to take what works from other states and incorporate it into our own.

(Opposed) None.

Staff Summary of Public Testimony (Appropriations):

See Committee Records from the 2025 Legislative Session.

Persons Testifying (Civil Rights & Judiciary): Representative Jamila Taylor, prime sponsor; Brittany Gregory, Administrative Office of the Courts; Esperanza Borboa; and Laura Del Villar, Civil Survival.

Persons Testifying (Appropriations): See Committee Records from the 2025 Legislative Session.

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

Persons Signed In To Testify But Not Testifying (Appropriations): See Committee Records from the 2025 Legislative Session.