

SENATE BILL REPORT

HB 1112

As of March 13, 2025

Title: An act relating to removing the city residency requirement for judges pro tempore in municipalities with a population of more than 400,000 inhabitants.

Brief Description: Removing the city residency requirement for judges pro tempore in municipalities with a population of more than 400,000 inhabitants.

Sponsors: Representatives Farivar, Davis, Berry, Reed, Macri, Bergquist, Scott, Ryu, Fitzgibbon, Taylor, Obras, Gregerson, Street, Ormsby and Hill.

Brief History: Passed House: 1/30/25, 92-4.

Committee Activity: Law & Justice: 3/13/25.

Brief Summary of Bill

- Removes city residency requirement for judges pro tempore in municipal courts in cities with a population greater than 400,000 inhabitants.

SENATE COMMITTEE ON LAW & JUSTICE

Staff: Ryan Giannini (786-7285)

Background: Municipal courts are courts of limited jurisdiction that hear cases involving violations of city ordinances. Municipal courts in cities with a population of more than 400,000 are organized under a different chapter of law than municipal courts in cities with a population of 400,000 or less.

In all cities, the presiding municipal court judge is authorized to appoint judges pro tempore when necessary, including in the absence of the duly appointed or elected judges of the court or in addition to the duly appointed or elected judges when the administration of justice makes it necessary. While serving as judge of the court, a judge pro tempore has all the powers of duly appointed or elected judges.

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.

A judge pro tempore must meet the qualifications of a duly appointed or elected judge, which includes being a citizen of the United States and of the state of Washington, and an attorney admitted to practice law before the courts of record of the state of Washington. In a city of 400,000 inhabitants or less, a judge pro tempore is not required to be a resident of the city or county where the municipal court is located. In a city of more than 400,000 inhabitants, the presiding municipal court judge must appoint judges pro tempore from attorneys residing in the city.

Summary of Bill: For municipal courts in cities with a population of more than 400,000:

- the requirement that a judge pro tempore must reside in the city in which the court is located is removed;
- the requirement that a judge pro tempore must be an elector of the city is changed to require being an elector of the state of Washington; and
- the requirement that a judge pro tempore must be an attorney admitted to practice law in the state of Washington is retained.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The requirement that judges pro tem live in the city that they are being appointed only applies to the City of Seattle. When a sitting judge is away due to a number of circumstances, there is a need for experienced attorneys to step in to fill such seats. There are not enough attorneys to adequately fill the roster of judges pro tem in Seattle. There are still many cases to process. This bill allows talented attorneys to serve in the courthouse.

Persons Testifying: PRO: Representative Darya Farivar, Prime Sponsor; Judge Faye Chess, Seattle Municipal Court.

Persons Signed In To Testify But Not Testifying: No one.