

RCW 2.12.020 Retirement for disability. (1) Any judge of the supreme court, court of appeals, or superior court of the state of Washington, who heretofore and/or hereafter shall have served as a judge of any such courts for a period of ten years in the aggregate, and who shall believe he or she has become physically or otherwise permanently incapacitated for the full and efficient performance of the duties of his or her office, may file with the director of retirement systems an application in duplicate in writing, asking for retirement, which application shall be signed and verified by the affidavit of the applicant or by someone in his or her behalf and which shall set forth his or her name, the office then held, the court or courts of which he or she has served as judge, the period of service thereon, the dates of such service and the reasons why he or she believes himself or herself to be, or why they believe him or her to be incapacitated. Upon filing of such application the director shall forthwith transmit a copy thereof to the governor who shall appoint three physicians of skill and repute, duly licensed to practice their professions in the state of Washington, who shall, within fifteen days thereafter, for such compensation as may be fixed by the governor, to be paid out of the fund hereinafter created, examine said judge and report, in writing, to the governor their findings in the matter. If a majority of such physicians shall report that in their opinion said judge has become permanently incapacitated for the full and efficient performance of the duties of his or her office, and if the governor shall approve such report, he or she shall file the report, with his or her approval endorsed thereon, in the office of the director and a duplicate copy thereof with the administrator for the courts, and from the date of such filing the applicant shall be deemed to have retired from office and be entitled to the benefits of this chapter to the same extent as if he or she had retired under the provisions of RCW 2.12.010.

(2) The retirement for disability of a judge, who has served as a judge of the supreme court, court of appeals, or superior court of the state of Washington for a period of ten years in the aggregate, by the supreme court under Article IV, section 31 of the Constitution of the state of Washington (House Joint Resolution No. 37, approved by the voters November 4, 1980), with the concurrence of the retirement board, shall be considered a retirement under subsection (1) of this section. [2011 c 336 s 32; 1982 1st ex.s. c 52 s 3; 1982 c 18 s 2; 1973 c 106 s 5; 1971 c 30 s 4; 1937 c 229 s 2; RRS s 11054-2.]

Reviser's note: House Joint Resolution No. 37, approved by the voters November 4, 1980, became Amendment 71 to the state Constitution.

Effective dates—1982 1st ex.s. c 52: See note following RCW 2.10.180.

Construction—1971 c 30: See note following RCW 2.12.010.