

HOUSE BILL REPORT

HB 1584

As Reported by House Committee On:
Judiciary

Title: An act relating to the administrative office of the courts.

Brief Description: Changing provisions relating to the administrative office of the courts.

Sponsors: Representatives Lantz, Carrell, Flannigan and Campbell; by request of Administrative Office of the Courts.

Brief History:

Committee Activity:

Judiciary: 2/11/03, 2/25/03 [DP].

Brief Summary of Bill

- Changes the name of the Office of the Administrator for the Courts to the Administrative Office of the Courts.
- Removes the requirement that the Administrator not be over 60 at the time of appointment and changes the prohibition that the Administrator and assistants not practice law to a prohibition on practicing law for remuneration.
- Changes the methodology for determining judicial need from a "weighted caseload analysis" to an "objective workload analysis."
- Instructs the Administrator to administer state funds that may be appropriated for improving the operation of the courts and to provide support for court coordinating councils.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 9 members: Representatives Lantz, Chair; Moeller, Vice Chair; Carrell, Ranking Minority Member; McMahan, Assistant Ranking Minority Member; Campbell, Flannigan, Kirby, Lovick and Newhouse.

Staff: Edie Adams (786-7180).

Background:

The Administrator for the Courts (Administrator) is appointed by the Washington Supreme Court from a list of five persons submitted by the Governor. The Administrator is charged with administering various aspects of the state court system, such as fostering court efficiency, training personnel, designing forms, developing standards, and controlling costs. Neither the Administrator nor assistants may practice law during their tenure with the Office of the Administrator for the Courts. In addition, the Administrator may not be over the age of 60 when appointed to office.

One of the duties of the Administrator is to examine the need for new superior court and district court judicial positions. Last session the Legislature passed HB 2471, which changed the method used to determine judicial need for district courts from a "weighted caseload analysis" to an "objective workload analysis." The weighted caseload analysis takes into account the available judicial resources and caseload activity of the court. The companion measure that made this same change with respect to determining the need for additional superior court judges (HB 2472) did not pass the Legislature, so the weighted caseload analysis is still referenced in the statute governing determining the need for superior court judicial positions.

During the 2000 interim the Board for Judicial Administration formed the Project 2001 Committee to study and make recommendations on ways to improve the operation of the courts. The final report of the Project 2001 Committee calls on the Board for Judicial Administration to promote the establishment of court coordination councils in each jurisdiction, to be composed of trial court judges, clerks, court administrators, lawyers, citizens, and other local officials. The councils are to work toward maximum utilization of judicial and other court resources by first developing and then implementing comprehensive trial court coordination plans.

Summary of Bill:

A variety of changes are made with respect to the Office of the Administrator for the Courts relating to the office's functions and duties.

The name of the Office of the Administrator for the Courts is changed to the Administrative Office of the Courts. References throughout the code are changed to reflect the name change.

The requirement that the Administrator not be over 60 years old at the time of appointment is removed and references to the Administrator as "he" are removed and replaced with gender-neutral terms. The existing prohibition on the practice of law, directly or indirectly, by the Administrator and assistants is clarified to provide that the Administrator and assistants may not practice law for remuneration in the state.

The weighted caseload analysis that is used by the Administrator to examine the need for

new judicial positions is replaced with an "objective workload analysis."

The duties of the Administrator are amended to include administering state funds for improving the operation of the courts and providing support for court coordinating councils, under the direction of the Board for Judicial Administration.

Appropriation: None.

Fiscal Note: Not Requested.

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

Testimony For: The bill changes the name because the office oversees the administrative functions of the courts and is not the office of an appointed official. The most important part of the bill is the objective workload methodology for determining judicial need. The Legislature changed the methodology for district courts and it is working very well and has a high level of credibility. The bill allows attorneys in the office to provide pro bono services like the attorneys in the Attorney General's office or other government lawyers.

Testimony Against: None.

Testified: Representative Lantz, prime sponsor; and Mary McQueen, Office of the Administrator for the Courts.