

HOUSE BILL REPORT

SB 5052

As Reported by House Committee On:

Judiciary

Appropriations Subcommittee on General Government

Title: An act relating to increasing the number of superior court judges in Whatcom county.

Brief Description: Increasing the number of superior court judges in Whatcom county.

Sponsors: Senators Ericksen, Ranker, Shin, Padden and Kohl-Welles; by request of Board For Judicial Administration.

Brief History:

Committee Activity:

Judiciary: 3/13/13, 3/19/13 [DP];

Appropriations Subcommittee on General Government: 3/27/13 [DP].

Brief Summary of Bill

- Increases the number of statutorily authorized superior court judges in Whatcom County from three to four.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass. Signed by 11 members: Representatives Pedersen, Chair; Hansen, Vice Chair; O'Ban, Assistant Ranking Minority Member; Goodman, Hope, Jinkins, Kirby, Klippert, Nealey, Orwall and Roberts.

Minority Report: Do not pass. Signed by 1 member: Representative Shea.

Staff: Omeara Harrington (786-7136).

Background:

The number of superior court judges in each county is set by statute. Any change in the number of full- and part-time judges in a county's superior court is determined by the Legislature after receiving a recommendation from the Board for Judicial Administration (BJA). The BJA's recommendation is based on an objective workload analysis developed

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

annually by the Administrative Office of the Courts (AOC). The objective workload analysis takes into account available judicial resources and the caseload activity of the court.

The state and the county share the cost of superior court judges. In order for an additional judicial position to become effective, the legislative authority of the affected county must approve the position and agree to pay, out of county funds and without reimbursement from the state, expenses associated with the new position.

Whatcom County has three elected superior court judges. According to the AOC's objective workload analysis, an increase in the number of superior court judges in Whatcom County is recommended.

Summary of Bill:

The number of statutorily authorized superior court judges in Whatcom County is increased from three to four. This new position becomes effective only if the legislative authority of Whatcom County approves the position and agrees that the county will pay its share of the cost of the position without reimbursement from the state.

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:

(In support) This legislation is brought by request of the Board for Judicial Administration, and the companion bill that originated in the House of Representatives passed with bipartisan support. This year's needs assessment indicates the increase in the number of judicial positions is warranted, and there is local support for the request, including support of the county executive and local bar. There is a dire need for more superior court judges. The last time a new position was authorized was in 1973 and that position was filled in 1975. At that time the population was 90,000, now it is closer to 200,000. The court's workload has increased dramatically over the years.

(Opposed) None.

Persons Testifying: Mellani McAleenan, Board for Judicial Administration; Dave McEachran, Whatcom County Prosecuting Attorneys; and Tom McBride, Whatcom County.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON GENERAL GOVERNMENT

Majority Report: Do pass. Signed by 7 members: Representatives Hudgins, Chair; Buys, Chandler, Dunshee, Hunt, Pedersen and Springer.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor.

Staff: Alex MacBain (786-7288).

Summary of Recommendation of Committee On Appropriations Subcommittee on General Government Compared to Recommendation of Committee On Judiciary:

No new changes were recommended.

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:

(In support) Whatcom County has not added a new trial court judge since 1975 and in that time the county population has more than doubled. Criminal and civil filings have increased by more than five times. Even with this new judge position, Whatcom County will have the fewest superior court judges per capita in the state. No judges were available to be here to testify on this bill because they are all in jury trials. Whatcom County has approved the spending for its share of the costs of a new superior court judge position.

(Opposed) None.

Persons Testifying: Tom McBride, Whatcom County; and Mellani McAleenan, Board for Judicial Administration.

Persons Signed In To Testify But Not Testifying: None.