

**RCW 2.56.040 Distribution of work of courts by chief justice—
Unavailability of presiding judge in single judge court.** (1) The chief justice shall consider all recommendations of the administrator for the assignment of judges, and, in the discretion of the chief justice, direct any judge whose calendar, in the judgment of the chief justice, will permit, to hold court where need therefor exists, to the end that the courts in this state shall function with maximum efficiency, and that the work of other courts shall be equitably distributed. It shall be the duty of every judge to obey such direction of the chief justice unless excused by the chief justice for sufficient cause.

(2)(a) If due to illness, incapacity, resignation, death, or other unavailability the presiding judge in a single judge court is unable to fulfill the duties of the office, and either (i) no person has been designated by the presiding judge to serve as presiding judge pro tempore or (ii) the previously designated presiding judge pro tempore resigns, is removed from office, or is no longer able to serve, the chief justice may appoint another judicial officer or other person as the presiding judge pro tempore who meets the qualifications of a judge pro tempore, subject to (c) of this subsection, during the remaining period of unavailability or until a vacancy is filled as provided by law.

(b) The chief justice may appoint someone other than the previously designated or appointed individual to serve as presiding judge pro tempore whenever the chief justice determines that the administration of justice would be better served by appointment of someone else to fulfill the presiding judge duties, subject to (c) of this subsection, during the remaining period of unavailability or until the vacancy is filled as provided by law.

(c) The chief justice, or designee, shall consult with the local legislative and executive authorities before removing or appointing a presiding judge pro tempore under (a) or (b) of this subsection.

(d) Nothing in this section is intended to modify the role of the commission on judicial conduct as provided in Article IV, section 31 of the Washington state Constitution and chapter 2.64 RCW. [2022 c 74 § 2; 2005 c 182 § 1; 1957 c 259 § 4.]

Visiting judge: RCW 2.08.140 through 2.08.170, 2.08.200.