Board for Judicial Administration

2013 Legislative Session
POSITIONS Taken at and before 02/11/2013 Conference Call

Bill	Description	Date	Position	Hearings / Comments
HB 1098	**Bail practices** Addressing bail practices. H Rules R - Leg Link	01/22/2013	Support	01/30/2013 at 13:30 Bill is substantially similar to previous bills that BJA supported. Support but defer to associations for additional consideration as necessary.
HB 1116	**Unif. collaborative law act** Adopting the uniform collaborative law act. H Rules R - Leg Link	01/22/2013	Concerns	H- Judiciary 01/22/2013 at 10:00 Support position of WSBA regarding removal of those provisions of the bill that regulate the practice of law.
HB 1159 5052	**Superior crt judges/Whatcom** Increasing the number of superior court judges in Whatcom county. H Apps Gen Govt - Leg Link	01/16/2013	Request	H- Judiciary 01/29/2013 at 10:00
HB 1175 5069	**Judges/Benton & Franklin co.** Increasing the number of superior court judges in Benton and Franklin counties jointly. H Apps Gen Govt - Leg Link	01/22/2013	Request	H- Judiciary 01/29/2013 at 10:00
HB 1211 5637	**Voters' pamphlets, primaries** Concerning primary election voters' pamphlets. H Approps - Leg Link	01/28/2013	Support	01/29/2013 at 08:00 Bill requires SOS to publish a primary election voters' pamphlet in even numbered years. Would include Supreme Court and COA elections (per fiscal note). Hearing scheduled for 1/29. Est cost $1 M. Mellani will sign in pro
HB 1236	**Agency decision making** Establishing consistent standards for agency decision making. H Govt Acct & Ov - Leg Link	01/22/2013	Watch	Watch based on workload concerns, specifically Thurston County. Send to associations for review. Other than impact, it's a policy decision that BJA would probably not take a position on.
HB 1335	**State bar association** Repealing unnecessary provisions concerning the Washington State Bar Association. H Judiciary - Leg Link	01/28/2013	Watch	Repeals state bar act
HB 1365 5240	**Court security** Requiring cities and counties to provide security for their courts. H Local Govt - Leg Link	01/26/2013	Support	H- Local Government 02/12/2013 at 13:30 BJA voted to support this bill at the 12/14/12 BJA meeting.
HB 1386	**Superior court judges** Requiring a superior court judge to be a qualified voter in a county served by the superior court he or she is elected or appointed to. H Judiciary - Leg Link	01/28/2013	Watch	Limits qualification for superior court judge to those eligible to vote in that county. Allows those currently sitting to finish their terms. Watch, but leaning NP as a policy matter.
HB 1389	**Crime victims' rights** Addressing the rights of crime victims. H Judiciary - Leg Link	01/28/2013	Oppose	Court must inquire whether a victim is present and even if not must read a victims' rights statement. Opposed bill in last two biennia - more appropriate role for prosecutor, court should not be seen in advocacy role. Will impact court time. Creates appearance problem. Legislature should not dictate how courts are run. Focus on fiscal impact.
HB 1474	**Top 2 nonpartisan candidates** Giving general election voters the power to choose between the top two candidates for nonpartisan offices. H Govt Operation - Leg Link	01/28/2013	Oppose	02/13/2013 at 13:30 Having to campaign for general election will unnecessarily add to judges' time away from court. Yet another impediment to recruiting good candidates to bench. Would ask judge to testify if

				there is a hearing - Justice Owens volunteers. Research history of statute. A constitutional amendment would be necessary, at least for superior courts.
HB 1497	**Nonconviction records** Concerning the use of nonconviction records for employment and housing opportunities. H Judiciary - Leg Link	02/11/2013	No Position	H- Judiciary 02/14/2013 at 13:30 No position. Supportive of goals of legislation to reduce disproportionality but concerned about removing records from the index entirely. Mellani will testify.
		02/04/2013	Refer to Com.	Possible companion to 5341. Refer to SCJA and DMCJA.
HB 1542 5398	**Court interpreter services** Concerning the provision of and reimbursement for certain court interpreter services. H Judiciary - Leg Link	02/11/2013	Request	H- Judiciary 02/12/2013 at 10:00 BJA ok with ODHH technical amendment
		02/04/2013	Request	Referred by SCJA.SCJA has two amendments - cost recovery, which is in existing language, and "at any stage in the legal proceeding." Judge Matheson will provide Mellani language and Mellani will talk to the bill sponsor
HB 1651	**Juvenile records access** Concerning access to juvenile records. H Erly Lrn/H Svc - Leg Link	02/11/2013	No Position	H- Early Learning & Human Services 02/12/2013 at 13:30 Mellani will testify to address fiscal note as needed.
		02/04/2013	No Position	NP but refer to SCJA and JCA. Mellani should testify regarding cost if it has a fiscal note like the last version and goes to Appropriations.
HB 1653 5484	**Assault in 3rd degree/court** Concerning assault in the third degree occurring in areas used in connection with court proceedings. H Public Safety - Leg Link	02/11/2013	Support	02/12/2013 at 08:00 Support in principle regarding increasing courthouse security. Mellani will sign in pro.
		02/04/2013	Support	Generally supportive of courthouse safety. DMCJA needs to review for language concerns and SCJA needs to review generally.
HJR 4205	**Supreme court** Requiring that all mandatory, regulatory, licensing, and disciplinary functions regarding the practice of law and administration of justice reside exclusively in the supreme court. H Judiciary - Leg Link	01/28/2013	Watch	Amends constitution to move all attorney regulation to the supreme court, prohibits mandatory bar association, defines what "administration of justice" issues the court may be involved in.
HJR 4207	**Superior court judges** Amending the state Constitution to modify eligibility requirements for superior court judges. H Judiciary - Leg Link	01/28/2013	Watch	Amends constitution to limit those qualified for superior court judge to those who are eligible to vote in that county. Watch, but leaning NP as a policy matter.
SB 5005	**City & county fiscal relief** Concerning fiscal relief for cities and counties in times of declining revenues. S Govt Ops - Leg Link	01/14/2013	Watch	Referred by DMCJA. Refer to SCJA. Concerns about impact to problem solving courts; drug court assn opposed. Review impact to Trial Court Improvement funds.
SB 5020	**Indigent defense** Modifying indigent defense provisions. S Law & Justice - Leg Link	01/22/2013	Watch	01/21/2013 at 13:30
		01/14/2013	Under Review	Referred by DMCJA. Refer to SCJA.BJA review on 1/22. Questions about execution and enforcement of promissory notes, existing law. By removing presumptive eligibility based on receiving assistance, there is no longer a bright line standard. This may lead to more individualized reviews or determinations of indigency by judicial officers, which is a work load concern. Judges prefer to require reimbursement of defense costs post-adjudication, when appropriate.
SB 5023	**College DUI courts** Providing for college DUI courts. S Law & Justice - Leg Link	01/14/2013	Concerns	01/18/2013 at 08:00 DMCJA has concerns because independent muni courts can't offer the service and may testify on that issue. BJA does not necessarily support or oppose but does not concede that courts need the authority to create specialty courts.

SB 5046 1266	**District judges, retirement** Modifying the mandatory retirement provision for district judges. H Judiciary - Leg Link	01/14/2013	Support	01/16/2013 at 13:30 Hearing: Law & Justice Committee, 1.16.13 @ 1:30 p.m.
SB 5156	**Abortion / notifying parent** Requiring notification to parents or guardians in cases of abortion. S Law & Justice - Leg Link	01/28/2013	Watch	02/06/2013 at 13:30 Directs the supreme court to establish rules. "Court must..."
SB 5165	**Superior court commissioners** Increasing the authority of superior court commissioners to hear and determine certain matters. S Law & Justice - Leg Link	01/22/2013	Support	02/01/2013 at 08:00 BJA will support unless otherwise advised from the associations. SCJA will take the lead on this bill. Pierce and King County judges have indicated support.
SB 5277	**Elections** Reducing costs and inefficiencies in elections. S Govt Ops - Leg Link	02/04/2013	Oppose	02/05/2013 at 10:00 Oppose section 6. Increased time away from bench and increased cost to candidates. How does this change square with the constitution and RCW 29A.36.171? Someone will testify.
SB 5308	**Sexually exploited children** Establishing the commercially sexually exploited children statewide coordinating committee. S HSCDPS - Leg Link	01/26/2013	Reviewed	S - Human Services & Corrections 02/04/2013 at 10:00 Creates a task force on which an AOC rep is included
SB 5341	**Nonconviction records** Concerning the use of nonconviction records for employment and housing opportunities. S Law & Justice - Leg Link	02/11/2013	No Position	No position - see note for 1497.
		02/04/2013	Refer to Com.	DMCJA and SCJA need to review.
		01/28/2013	Refer to Com.	Refer to DD Committee. Additional BJA review on 2/4.
SB 5398 1542	**Court interpreter services** Concerning the provision of and reimbursement for certain court interpreter services. S Law & Justice - Leg Link	02/11/2013	Request	02/04/2013 at 13:30 BJA ok with ODHH technical amendment
		02/04/2013	Request	Referred by SCJA.SCJA has two amendments - cost recovery, which is in existing language, and "at any stage in the legal proceeding." Judge Matheson will provide Mellani language and Mellani will talk to the bill sponsor
		01/28/2013	Request	
SB 5484 1653	**Assault in 3rd degree / court** Concerning assault in the third degree occurring in areas used in connection with court proceedings. S Law & Justice - Leg Link	02/11/2013	Support	02/15/2013 at 08:00 Support in principle regarding increasing courthouse security. Mellani will sign in pro.
		02/04/2013	Support	Generally supportive of courthouse safety. DMCJA needs to review for language concerns and SCJA needs to review generally.
SB 5689	**Juvenile records access** Concerning access to juvenile records. S HumServ/Corr - Leg Link	02/11/2013	No Position	Mellani will testify regarding fiscal note as needed.
SJR 8203	**Searches of students** Amending the state Constitution to allow a reasonable suspicion standard in certain searches of students on school grounds. S Law & Justice - Leg Link	01/22/2013	No Position	01/25/2013 at 08:00 Referred by DMCJA as an FYI.