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Title: AN ORDINANCE related to making appointments to fill vacancies in King County district court; and amending Ordinance 8350, Section 2, and K.C.C. 2.70.020.

Sponsors: Claudia Balducci, Kathy Lambert

Indexes: District Court

Code sections: 2.70.020 - .

Attachments: 1. Ordinance 18561.pdf, 2. 2017-0281_SR_KCDCJudicialVacancies.docx, 3. 2017-0281_ATT1_ProposedOrdinance.pdf

Date	Ver.	Action By	Action	Result
8/14/2017	1	Metropolitan King County Council	Hearing Held	
8/14/2017	1	Metropolitan King County Council	Passed	Pass
7/25/2017	1	Law and Justice Committee	Recommended Do Pass	Pass
7/5/2017	1	Metropolitan King County Council	Introduced and Referred	

Clerk 08/01/2017

AN ORDINANCE related to making appointments to fill vacancies in King County district court; and amending Ordinance 8350, Section 2, and K.C.C. 2.70.020.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 8350, Section 2, and K.C.C. 2.70.020 are hereby amended to read as follows:

The process to fill district court judicial vacancies shall be as follows:

A. (~~Notice of existing or scheduled vacancies shall be advertised by the clerk of the council twice~~)

Upon being apprised of an existing or scheduled vacancy, the presiding judge of the district court shall promptly notify the chair of the county council of the vacancy by providing written notice to the clerk of the council.

B. The clerk of the council shall, no later than twenty business days after the clerk receives notice of the vacancy from the presiding judge:

1. Publish notice of the vacancy in the official county newspaper and in a newspaper of general circulation within the district((-));

2. Transmit ((N))notice of the vacancy ((shall also be sent)) to the ((Seattle)) King County Bar Association ((SKCBA)), the Washington State Bar Association, the Washington Administrative Office of the Courts, the East King County Bar Association, the South King County Bar Association((, Washington Women Lawyers, Loren Miller Bar Association, National Conference of Black Lawyers (Northwest Chapter), Asian Law Association and other interested groups)) and all bar associations that are listed as minority bar associations by the Washington State Bar Association. For the purpose of this subsection B.2., notice by email is sufficient; and

3. Post notice of the vacancy on the council's website.

C. The clerk's notice of the vacancy shall:

1. Identify the court district where the vacancy exists or will exist and the date of the vacancy; and

2. State the date by which application materials for appointment to fill the vacancy must be delivered to the clerk of the council, which shall be forty-five days from the date on which the clerk transmits written notice of the vacancy under subsection B.2. of this section.

D. To be considered for appointment, a candidate must have a current rating of, at a minimum, "qualified" for a district court judicial position from the King County Bar Association and at least one other bar association operating in King County with an eligible judicial candidate evaluation process, as defined in subsection F.2. of this section. For the purposes of this section, ratings are "current" until the expiration date stated in the rating communication or until three years after the date the rating communication was issued if no expiration date is stated.

~~((B. Names of))~~ E. No later than the date listed in the notice of vacancy, any individual((s)) wishing ((

~~consideration))~~ to be considered for appointment ~~((shall be submitted))~~ must deliver to the clerk of the council ~~((or directly to any of the bar associations listed in subsection 2.70.020 A. which shall review and evaluate the candidates)),~~ in electronic form, the following:

1. A letter of interest, which must specify the division of the district court to which the applicant is requesting appointment and should explain why the individual wishes to serve as a district court judge, how the applicant is qualified to do so and specify the division of the district court to which the applicant is requesting appointment;

2. The individual's resume;

3. A copy of the completed responses to questionnaires submitted to the King County Bar Association to obtain its rating;

4. The individual's current bar association ratings for appointment to the district court, as defined in subsection D. of this section, in the form of a copy of the communication from each bar association informing the individual of the rating; and

5. Any supporting information the individual would like the council to consider.

~~((C-))~~ F.1. Any ~~((other))~~ bar ~~((group))~~ association operating in King County with an ~~((established))~~ eligible judicial candidate evaluation ~~((procedure))~~ process may ~~((also))~~ review and evaluate the candidates. A ~~((group))~~ bar association's rating must specify that the rating applies to appointment of the individual to the district court and should specify the duration of the rating. A bar association rating that was current as defined in subsection D. of this section when submitted by the applicant in accordance with this section shall be deemed valid for the appointment for which it was submitted.

2. For the purposes of subsections D. and F.1. of this section, "bar association operating in King County with an ~~((established))~~ eligible judicial candidate evaluation ~~((procedure shall))~~ process" means a bar association ~~((group))~~ operating in King County that has:

~~((1. With evaluation procedures))~~ a. a judicial evaluation process that is open to any candidate~~((;))~~

who is eligible under state law for appointment to the district court; and

~~((2. Which has))~~ b. written ((by laws)) procedures and criteria governing its judicial evaluation process((;

~~3. Which has written criteria upon which the candidates are to be judged which shall be made available to the public, the council and candidates, and~~

~~4. Which has been actively evaluating judicial candidates for at least two years.~~

~~D. SKCBA shall refer to the council the names of candidates receiving the highest rating. The list shall contain no less than three names. Any other group with an established judicial candidate evaluation procedure, as defined in subsection 2.70.020 C., shall provide to SKCBA a list of the names of candidates given its highest rating. SKCBA shall note on the list referred to the council any disagreements on the respective lists by indicating names on their own list not included on the list(s) of the other evaluating committee(s) and adding names not included on the SKCBA list with the name of the group which provided the rating.~~

~~E.))~~ and makes copies of such procedures and criteria available upon request.

G.1. The committee of the whole shall:

a. ((#))Review the written application materials of all eligible candidates ((and)) received by the deadline in subsection C.2. of this section;

b.(1) By parliamentary motion, select from among the eligible candidates the final candidates to be interviewed by the committee.

(2) Committee of the whole members shall consider candidates' bar association ratings in the members' selection of final candidates.

(3) The chair of the committee of the whole shall determine the process by which the committee of the whole will receive recommendations for selecting final candidates to be interviewed by the committee, which may include requesting up to four committee members to jointly evaluate the qualifications of the candidates and to make recommendations to the committee of the whole on selection of final candidates. The

requested committee members shall be selected by the chair of the committee of the whole after soliciting committee members about their interest in serving;

c. interview the final candidates; and

d. make a recommendation, as provided in K.C.C. 1.24.055.D., to the council by reporting out of committee a proposed legislative motion that would make the appointment. The motion reported out of committee must specify the position number for the vacancy being filled and need not include the name of the individual to be appointed.

((F.)) H. The ((final)) council shall make the appointment ((shall be made by the council)) by adoption of a legislative motion ((from the candidates referred by the evaluation committees)). The person appointed must be one of the persons interviewed by the committee of the whole.

F. The council may, by parliamentary motion, direct that the selection process prescribed in this section be repeated to allow additional applications to fill the vacant position or positions.

SECTION 2. This ordinance takes effect ninety days after the date of its enactment.