



Legislation Text

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Clerk 11/09/2021

AN ORDINANCE relating to the creation of criminal court commissioner positions for the King County superior court; amending Ordinance 16819, Section 2, and adding a new section to K.C.C. chapter 2.69.

STATEMENT OF FACTS:

1. The metropolitan King County council approved the creation of criminal court commissioners through Ordinance 16819, restricting criminal court commissioner appointments to existing authorized family law and mental health commissioners.
2. King County council made a supplemental appropriation through Ordinance 19319 for a project to reduce the criminal backlog existing in superior court, as a result of the worldwide COVID-19 pandemic and for the superior court to conduct resentencing hearings and to vacate of criminal convictions under *State v. Blake*, 197 Wn.2d 170 (2021). The superior court budget includes appropriations for term-limited temporary judicial officials, who are not existing superior court appointed family law or mental health commissioners, with experience in criminal law to assist the superior court in disposing of adult criminal cases, including to hear pleas and other non-trial matters and to allow a special criminal commissioner for resentencing hearings and to vacate matters falling under the *State v. Blake* decision.
3. Under RCW 2.24.010, King County superior court requests that the King County council remove the restriction of only hiring and appointing criminal commissioners from existing county family law or mental health commissioners for the purpose of the appropriated projects

referenced in subsection 2. of this section.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 16819, Section 2, as amended, is hereby codified as a new section in K.C.C. chapter 2.69.

SECTION 2. Ordinance 16819, Section 2, is hereby amended to read as follows:

~~((By this ordinance, t))~~The county legislative authority approves the creation of criminal court commissioner positions, which functions shall be performed by existing authorized family law and mental health commissioners to assist the superior court in disposing of adult criminal matters, as authorized by RCW 2.24.010. Superior court is hereby authorized to hire criminal commissioners solely for the purposes of the backlog reduction project and the State v. Blake, 197 Wn.2d 170 (2021), decision workload; those commissioners may be hired in addition to existing employed family law and mental health commissioner employees.