



Legislation Text

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AN ORDINANCE documenting approval of the creation of criminal court commissioner positions of the King County superior court.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. Article IV, section 23, of the Washington State Constitution authorizes the appointment of up to three court commissioners per county. The court commissioners are appointed by the superior court and are authorized to perform the same duties as a judge of the superior court at chambers, or as otherwise provided by law to aid the administration of justice. These duties include hearing matters related to probate, hearing and making determinations for small claims appeals, issuing temporary restraining orders presiding over arraignments and other pretrial matters in adult criminal cases and performing other judicial duties as required by the judge.

B. In addition to the constitutionally authorized commissioners, the Legislature has authorized supplementary court commissioners to assist superior court judges in specific areas of the law. These include mental health commissioners and family court commissioners. The duties of these commissioners are limited by statute to specific powers pertinent to assisting the court in mental health or family court matters respectively.

C. Chapter 140, Laws of Washington 2009 authorizes the presiding superior court judge in counties with a population greater than four hundred thousand to appoint new supplementary court commissioners to assist the superior court in disposing of adult criminal matters. The county legislative authority must approve the creation of criminal court commissioners.

D. The court intends to use existing family law and mental health commissioners to perform the criminal court functions authorized by Chapter 140, Laws of Washington 2009. Prompt approval for existing commissioners to perform these additional functions will assist the efficient administration of the superior court.

SECTION 2. By this ordinance, 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.