

CHAPTER 121.

[S. B. 230.]

RELATING TO DISQUALIFICATION OF JUDGES OF
SUPERIOR COURTS.

AN ACT relating to the disqualification of judges of the superior courts, and providing change of venue or change of judges on account thereof.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. No judge of a superior court of the State of Washington shall sit to hear or try any action or proceeding when it shall be established, as hereinafter provided, that such judge is prejudiced against any party or attorney, or the interest of any party or attorney appearing in such cause. In such case the presiding judge shall forthwith transfer the action to another department of the same court, or call in a judge from some other court, or apply to the governor to send a judge, to try the case; or, if the convenience of witnesses or the ends of justice will not be interfered with by such course, and the action is of such a character that a change of venue thereof may be ordered, he may send the case for trial to the most convenient court.

[See §§
209-210,
Rem.-Bal.]

Prejudice
established.

Order change
of venue.

SEC. 2. Any party to or any attorney appearing in any action or proceeding in a superior court, may establish such prejudice by motion supported by affidavit that the judge before whom the action is pending is prejudiced against such party or attorney, so that such party or attorney cannot, or believes that he cannot, have a fair and impartial trial before such judge: *Provided, further,* That no party or attorney shall be permitted to make more than one application in any action or proceeding under this act.

[See §§
209-210,
Rem.-Bal.]

Establish
by affidavit

Passed by the Senate February 21, 1911.

Passed by the House March 9, 1911.

Approved by the Governor March 18, 1911.