

## CHAPTER 116.

[S. B. 74.]

NOMINATION AND ELECTION OF SUPERIOR COURT  
AND SUPREME COURT JUDGES.

AN ACT relating to the nomination and election of superior court and supreme court judges, and amending section 4842 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 4842 of Rem. & Bal. Code be amended to read as follows:

Section 4842. When there are to be elected at any general election one or more judges of the supreme court, the candidates for each respective office whose names are to be placed on the general election ticket shall be determined as follows: The number of candidates equaling the number of judicial positions to be filled who receive the highest number of votes at the primary election, and an equal number of candidates for such positions, providing there are such candidates, who receive the next highest number of votes, shall be the candidates for such respective offices and their names shall appear on the general election ballot under the designation of such respective offices: *Provided, however,* That where any candidate for any such office shall receive a majority of all votes cast at such primary election for such office, the name or names of such candidates receiving such majority shall be printed separately on the general election ballot, under the designation "Vote for.....," and the name or names of no opposing candidate or candidates shall be printed on such ballot in opposition to such candidate or candidates, but spaces equaling the number of such majority candi-

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nomination  
and election.

dates shall be left following such name or names, in which the voter may insert the name of any person for whom he wishes to cast his ballot. Following the names of such majority candidates, under the designation "Vote for . . . . .", the names of the minority candidates who have received the highest number of votes at the primary election equal to twice the number of the remaining places to be filled shall be printed: *Provided further*, That the secretary of state, in certifying to the several county auditors of the state the names of candidates for judges of the supreme court shall specify the names of those who have received a majority vote at such primary election, together with the names of the minority candidates who are entitled to have their names placed upon the official ballot. For the purpose of determining whether any candidate or candidates shall have received a majority of the votes cast under the provisions of this section the number of votes cast shall be determined by adding together the number of votes cast for each candidate and dividing the sum of such votes by the number of positions to be filled, and any candidate who receives a number of votes in excess of one-half of the votes cast as thus determined shall be deemed to have received a majority of the votes cast. If it shall appear that a number of candidates in excess of the number of positions to be filled shall have received a majority of votes cast, then there shall be printed upon the ballot only the names of the candidates who received the highest number of votes and equal to the number of places to be filled. Where a vacancy or other cause shall necessitate the election of a judge of the supreme court for a short term, and at the same election one or more judges are to be elected for the full term candidates may announce themselves for either the short or full

term, and the ballots shall be arranged accordingly. Where there are to be elected at any general election one or more judges of the superior court of any county or judicial district the candidates for each respective office whose names are to be placed on the general election ticket shall be determined as follows: Not less than ten days before the time for filing declaration of candidacy, the secretary of state or the county auditor, as the case may be, shall designate by number each position to be filled upon the superior court of the county or judicial district. Each candidate at the time of the filing of his declaration of candidacy shall designate by the number so assigned, the position for which he is a candidate and the name of such candidate shall appear on the ballot only for such position. The name of the person who received the greatest number of votes and of the person who received the next greatest number of votes for each position, shall appear on the general election ballot under the designation for each such respective office: *Provided, however,* That where any candidate for such office shall receive a majority of all votes cast at such primary election for such office, the name of such candidate receiving such majority shall be printed separately on the general election ballot under the designation "Vote for One" and the name of no opposing candidate shall be printed on such ballot in opposition to such candidate, but one space shall be left following such name in which the voter may insert the name of any person for whom he wishes to cast his ballot. The names of all such candidates for such judicial offices shall appear on the general election ballot under the heading "Judicial ticket." There shall be a separate ballot for the candidates for nomination for such judicial offices, for use in the primary election, and such ballots shall be printed, delivered, voted and

counted as hereinbefore provided for the general primary election ballot: *Provided*, That any voter shall have the privilege of voting this ticket alone. The form of said ballot shall be substantially as follows:

JUDICIAL ELECTION BALLOT

To vote for a person make a cross (X) in the square at the *right* of the name of the person for whom you desire to vote.

Judges of Supreme Court.

Judges of Superior Court.

Vote for.....

.....to be nominated.

1.	
VOTE FOR ONE.	
2.	
VOTE FOR ONE.	
3.	
VOTE FOR ONE.	

Passed the Senate March 4, 1921.

Passed the House March 8, 1921.

Approved by the Governor March 18, 1921.