

Effect: Reducing the size of the state supreme court to 5 justices and requiring elections by judicial district.

1 AN ACT Relating to reducing the size of the supreme court and  
2 electing supreme court justices by district; amending RCW 2.04.070,  
3 2.04.071, and 2.04.100; adding a new section to chapter 2.04 RCW; and  
4 providing a contingent effective date.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 2.04.070 and 1909 c 24 s 1 are each amended to read  
7 as follows:

8 When either the term of a justice on the supreme court expires or  
9 when a vacancy on the supreme court occurs by death, resignation, or  
10 otherwise after the effective date of this section, the position may  
11 not be filled until the number of judges on that court has been  
12 reduced to five. Thereafter, the supreme court(~~(, from and after~~  
13 February 26, 1909,)) shall consist of ((nine)) five judges.

14 A vacancy can occur by resignation, retirement, death, or  
15 otherwise.

16 **Sec. 2.** RCW 2.04.071 and 1971 c 81 s 1 are each amended to read  
17 as follows:

18 ~~((At the next general election, and at each biennial general~~  
19 ~~election thereafter, there shall be elected three justices of the~~  
20 ~~supreme court, to hold for the full term of six years, and until~~

1 ~~their successors are elected and qualified))~~ Upon the reduction in  
2 size of the supreme court from nine to five justices, no fewer than  
3 one and no more than two judges may be elected at each biennial  
4 general election to serve six-year terms, commencing with the second  
5 Monday in January succeeding their election. Each candidate for  
6 justice of the supreme court must be a resident of the supreme court  
7 judicial district for which he or she is elected or appointed for not  
8 less than one year prior to the time of election or appointment and  
9 reside in that judicial district for the entire term upon election or  
10 appointment.

11 **Sec. 3.** RCW 2.04.100 and 1971 c 81 s 3 are each amended to read  
12 as follows:

13 Upon the reduction in size of the supreme court from nine to five  
14 justices, if a vacancy occurs in the office of a justice of the  
15 supreme court, the governor shall appoint a person who is a resident  
16 of the supreme court judicial district for which the vacancy occurs  
17 to hold the office until the election and qualification of a justice  
18 to fill the vacancy, which election shall take place at the next  
19 succeeding general election, and the justice so elected shall hold  
20 the office for the remainder of the unexpired term.

21 NEW SECTION. **Sec. 4.** A new section is added to chapter 2.04 RCW  
22 to read as follows:

23 One justice shall be elected to each of the five judicial  
24 districts as follows:

25 (1) Judicial district one, consisting of congressional districts  
26 four and five;

27 (2) Judicial district two, consisting of congressional districts  
28 one and two;

29 (3) Judicial district three, consisting of congressional  
30 districts seven and nine;

31 (4) Judicial district four, consisting of congressional districts  
32 eight and ten; and

33 (5) Judicial district five, consisting of congressional districts  
34 three and six.

35 NEW SECTION. **Sec. 5.** Sections 1 through 4 of this act take  
36 effect January 1, 2017, if the proposed amendment to Article IV,  
37 section 3 of the state Constitution providing for the election of

1 supreme court justices from judicial districts (Proposed Senate Joint  
2 Resolution No. 8205 (S-3805/16)) is validly submitted to and is  
3 approved and ratified by the voters at the next general election. If  
4 the proposed amendment is not approved and ratified, this act is void  
5 in its entirety.

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