
SENATE BILL 6568

State of Washington

63rd Legislature

2014 Regular Session

By Senator Baumgartner

Read first time 02/17/14. Referred to Committee on Law & Justice.

1 AN ACT Relating to ordering the supreme court to increase the
2 number of cases it decides; creating a new section; providing an
3 effective date; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the supreme court
6 has a constitutional duty under Article IV of the Washington state
7 Constitution to hear and decide cases so the citizens can have timely
8 and efficient resolution of their disputes. The legislature finds that
9 the vast majority of other states have seven or fewer justices on their
10 state supreme courts. Despite the fact that additional resources in
11 the form of two extra justices have been funded by the legislature, the
12 caseload of the supreme court has consistently declined over the last
13 six years. According to the most recent information provided by the
14 administrative office of the courts, the supreme court decided one
15 hundred thirty-one fewer cases in 2012 than it did in 2008. Therefore,
16 the legislature finds that the supreme court is not meeting its
17 constitutional duty.

18 The need for immediate action could not be more apparent.
19 Conversely failing to act would send a strong message about the court's

1 good faith commitment about fulfilling its constitutional promise. To
2 some it may seem counterproductive to seek quantity over quality and
3 that this is a blunt instrument to deal with a fairly complex, nuanced,
4 and debatable problem. Others may also view it as an obscene violation
5 of the doctrine of separation and unthinkable intrusion into a matter
6 clearly within the purview of the supreme court, however the
7 legislature shall not stand idly by while the supreme court makes
8 unfulfilled promises.

9 The legislature has no wish to be forced into issuing specific
10 directives to the supreme court to decide specific cases in order to
11 process them more speedily or to hold the supreme court members in
12 contempt of the legislature. However, it is incumbent upon the supreme
13 court to demonstrate through real and immediate action that it is
14 making real and measurable progress, not simply promises. The
15 legislature hereby orders the court to increase the number of cases it
16 decides by fifty percent by the 2017-2018 court calendar. The
17 legislature also demands that the supreme court draw upon its purported
18 budgetary expertise and provide a report by April 30, 2014, as to how
19 it plans to fully implement this order and provide a timetable for
20 funding its plan.

21 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and takes effect
24 April 1, 2014.

--- END ---