

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Superior Court		9/1/93	RECEIVED SEP 8 1993 WHATCOM COUNTY COUNCIL	9/14/93	Council Introduction
Division Head:				9/28/93	Council
Dept. Head:					
Prosecutor:	DC	9/1/93			
Purchasing/Budget:					
Executive:	JG	9/1/93			

SUBJECT:

An ordinance authorizing the appointment of a Family Court Commissioner in the Superior Court.

ATTACHMENTS:

RCW 26.12.150

SUMMARY STATEMENT:

Please complete sections of box as appropriate & explain the item below.

Related County contract #:	Should Clerk schedule a hearing? NO / <input checked="" type="checkbox"/> / YES / <input type="checkbox"/> / Requested date:
Amount budgeted for this item/project: \$ 30,000	Is it (or will it be) within budget? YES / <input checked="" type="checkbox"/> / NO / <input type="checkbox"/> / (Please explain below)
Budget line item number(s): 3100.6650.904	Change in commissioner's title only; no increase in service.

The authority to make a standing appointment of a Family Court Commissioner would save the manhours necessary to draft, sign, docket, microfilm and file ad hoc pro tem appointments. Hourly pro tem services are routinely budgeted paid out of the Court's professional services portion of its budget - the hourly pay for a family court commissioner would be the same and paid out of the same line item. To the extent that disputes may be resolved in the family court (reconciliation) forum, those matters will not need to be added to the overcrowded domestic relations case schedules or a judge or commissioner taken out of regularly-scheduled courtroom assignments to conduct Family Court matters which may not be co-mingled with other domestic matters.

ORIGINATOR'S RECOMMENDED ACTION:

Pass the ordinance authorizing the appointment of a Family Court Commissioner.

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

- 9/14/93: Introduction
- 9/28/93: Council adopted the ordinance. 7-0.

Related File Numbers:

Ordinance or Resolution Number (this item only): Ord93-058

ORDINANCE NO. 93-058

**AN ORDINANCE AUTHORIZING
A
FAMILY COURT COMMISSIONER**

WHEREAS, the Superior Court of each Washington county is limited by the Washington constitution to three constitutional court commissioners, requiring that the court enter numerous orders appointing *pro tempore* court commissioners to hear family law matters otherwise scheduled for hearing before an ill, vacationing or absent constitutional court commissioner, and,

WHEREAS, Section 26.12.050, Revised Code of Washington, allows the Superior Court to appoint, in addition to the constitutional commissioner positions, a **Family Court Commissioner** to hear family law matters, including those family law matters normally heard by a constitutional court commissioner, and,

WHEREAS, pending Title 26 dissolution cases may be required to enter a reconciliation process by referral to **Family Court**, before the family court commissioner, which family court commissioner services were heretofore provided by *pro tempore* appointments of District Court Judges or Commissioners, and whereas the primary workloads of those elected and permanently appointed judicial officers is such that their respective court schedules do not afford the time required to conduct any statutorily-required **Family Court** reconciliation services, and,

WHEREAS, the ongoing appointment of an individual to serve as a "*Family Court Commissioner*," rather than numerous limited-duration appointments as a "*Commissioner Pro Tempore*," is merely a change in title resulting in no additional compensation costs,

NOW BE IT ORDAINED by the Whatcom County Council that the Superior Court is authorized to appoint a Family Court Commissioner and to designate the duties to be performed by the individual appointed, and

NOW BE IT FURTHER ORDAINED by the Whatcom County Council that the compensation paid to the Family Court Commissioner shall be the same paid to a judge *pro tempore* or commissioner *pro tempore*.

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PASSED this 28th day of September, 1993.

**WHATCOM COUNTY COUNCIL
WHATCOM COUNTY WASHINGTON**

Marge Landrum
Chairperson

ATTEST:

() APPROVED () VETOED

Ron R...
Clerk of the Council

Shirley Van Zanten
Shirley Van Zanten, County Executive

APPROVED AS TO FORM:

Date: 9-29-93

Daniel L. Gibson
Civil Deputy Prosecuting Attorney