

Ordinance No. 121611 121698

Council Bill No. 115134

AN ORDINANCE establishing a merit evaluation process related to the confirmation of candidates to fill judicial vacancies occurring in Seattle Municipal Court.

CF No. _____

Date Introduced: DEC - 3 2004		
Date 1st Referred: DEC - 6 2004	To: (committee) Public Safety, Civil Rights & Age	
Date Re - Referred:	To: (committee)	
Date Re - Referred:	To: (committee)	
Date of Final Passage: 12-13-04	Full Council Vote: 9-0	
Date Presented to Mayor: 12-14-04	Date Approved: 12/17/04	
Date Returned to City Clerk: 12/20/04	Date Published: 4/24/05	T.O. <input checked="" type="checkbox"/> F.T. <input type="checkbox"/>
Date Vetored by Mayor:	Date Veto Published:	
Date Passed Over Veto:	Veto Sustained:	

The City of Seattle - Legislative Department
Council Bill/Ordinance sponsored by: Wicks

CO-Sponsors

Committee Action:

pass 2-0-1 NL, PS yes DDobster

12-13-04 Passed 9-0

This file is complete and ready for presentation to Full Council. Comm

~~Department~~

Law Dept. Review

OMP
Review

City Clerk
Review

1992

The City of Seattle - Legislative Department

Council Bill/Ordinance sponsored by: _____

Nicklas

Councilmember

CO-Sponsors: COMPTON, CONLIN, DRAGO, GODDEN, and STEINBRUECK

Committee Action:

pass 2-0-1 NL, PD yes DDobstained 12/7/04 (JP)

12-13-04 Passed 9-0

This file is complete and ready for presentation to Full Council. Committee: _____

(initial/date)

Law Department

*No Finance Note
All Drafts
Sponsored
For Council
Full 12/7/04
No Reflection
No Attachment
Lawyer Bill D*

Law Dept. Review

OMP Review

City Clerk Review

Electronic Copy Loaded

Indexed

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ORDINANCE 121698

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AN ORDINANCE establishing a merit evaluation process related to the confirmation of candidates to fill judicial vacancies occurring in Seattle Municipal Court.

WHEREAS, RCW 35.20.150 states that any vacancy in the municipal court due to a death, disability or resignation of a municipal court judge shall be filled by the mayor, to serve out the unexpired term; and

WHEREAS, RCW 35.20.150 further requires that any such appointment be subject to confirmation by the legislative body of the city; and

WHEREAS, the Seattle City Council wishes to confirm individuals of the highest quality, and who possess the requisite skills and temperament for their judicial positions; and

WHEREAS, the Council believes that this is best accomplished if the confirmation process is open and fair, and Council decisions are fully informed; and

WHEREAS, the Council believes that independent candidate evaluations undertaken by established bar association groups will provide valuable information to help inform the Council's confirmation decisions;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. There is hereby established a merit evaluation process to help inform the City Council's confirmation decisions under RCW 35.20.150 concerning Seattle Municipal Court judicial vacancies.

Section 2. The evaluation process shall operate as follows:

A. The City Clerk shall advertise all existing or anticipated judicial vacancies. These advertisements shall be placed twice in the official city newspaper and twice in a newspaper of general circulation within the City. The City Clerk also shall send written notice of existing or anticipated vacancies to the King County Bar



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Association (KCBA), Washington Women Lawyers, Latina/Latino Bar Association, Loren Miller Bar Association, National Conference of Black Lawyers (Northwest Chapter), Asian Law Association, and any other person or organization that has informed the City Clerk in writing that it wishes to receive this notice. Written notice under this Subsection 2 A may be transmitted electronically.

B. All individuals who advise the Mayor that they wish to be considered for appointment and confirmation for municipal court judicial positions may also submit their names to the bar associations listed in Subsection A of this Section 2. These bar associations are hereby invited to review and evaluate the candidates.

C. Any other bar association group with an established judicial candidate evaluation procedure also is invited to review and evaluate the candidates. A bar association group shall mean a formally-organized association of Washington lawyers. A group with an established judicial candidate evaluation procedure shall mean a bar association group:

- (1) With an evaluation process open to any candidate,
- (2) That has written by-laws governing its evaluation process,
- (3) That has written criteria upon which the candidates are to be judged, which shall be made available to the public, the Council and candidates, and
- (4) That has been actively evaluating judicial candidates for at least two years.

D. KCBA is hereby requested to provide to the Mayor and the Council the names of those candidates receiving the highest ratings in the KCBA evaluation process. The list shall contain no fewer than three names. Other bar association groups that have evaluated candidates are hereby requested to provide to KCBA a list of the names of



1 candidates given their highest ratings. KCBA is requested to compile the lists and
2 forward them to the Mayor and to the Council.

3 E. The Mayor is hereby invited to review and utilize the evaluations in
4 determining which candidates to consider and appoint for municipal court judicial
5 positions.

6 F. The Council intends to review and refer to the timely evaluations it
7 receives, and consider them along with other factors in making its confirmation decisions
8 under RCW 35.20.150. If the Mayor appoints a person not named in the lists referred to
9 in Subsection D of this Section 2, the Council may at its discretion inquire further of the
10 groups that have evaluated the candidates to determine whether the Mayor's appointee
11 was evaluated, and if so, what ratings that person received.

12 Section 3. In the event that the KCBA is not able or willing to perform its function under
13 this ordinance, it is the Council's intention, if the Mayor does not do so, to appoint a judicial
14 evaluation committee to evaluate and rate candidates, and to invite KCBA, the listed bar
15 associations, and other interested parties to provide recommendations concerning the
16 committee's membership.

17 Section 4. The merit evaluation process created by this Ordinance shall apply to all
18 municipal court judicial vacancies for which the Mayor has not, as of the effective date of this
19 Ordinance, transmitted to the Council papers formally requesting confirmation of an appointee.
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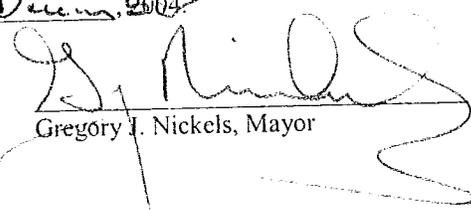
T1/F
Meritconfirmation
12/1/2004
version 2

1 Section 5. This ordinance shall take effect and be in force thirty (30) days from and after
2 its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days
3 after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.
4

5 Passed by the City Council the 13th day of December 2004, and signed by me in
6 open session in authentication of its passage this 13th day of December 2004.
7

8 
9 President _____ of the City Council

10
11 Approved by me this 17th day of December, 2004.

12 
13 _____
14 Gregory J. Nickels, Mayor
15
16

17 Filed by me this 20th day of Dec., 2004.

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19 _____
20 City Clerk
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22 (Seal)
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STATE OF WASHINGTON - KING COUNTY

--SS.

180126
CITY OF SEATTLE, CLERKS OFFICE

No. 121703-691 12/22/04

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT: TITLE ONLY ORDINANCE

was published on

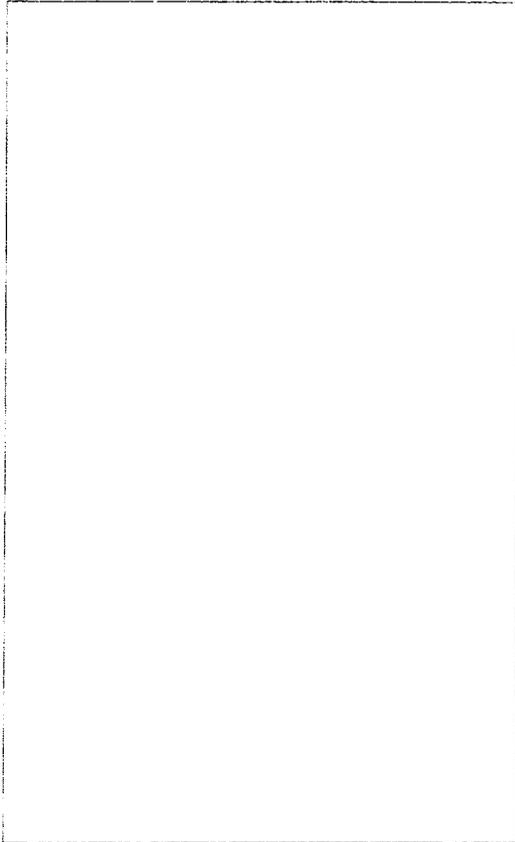
12/22/2004



James Selinger
Subscribed and sworn to before me on
12/22/2004 *James Pottgen*

Notary public for the State of Washington,
residing in Seattle

State of Washington, King County



Page 2 of affidavit

City of Seattle

TITLE-ONLY PUBLICATION

The full text of the following ordinances, passed by the City Council on December 13, 2004, and published here by title only, will be mailed upon request, or can be accessed electronically at http://clerk.ci.seattle.wa.us. For further information, contact the Seattle City Clerk at 62-8344.

ORDINANCE NO. 121703

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

ORDINANCE NO. 121702

AN ORDINANCE relating to Seattle Public Utilities, authorizing the Director to enter into a Fixed Block Water Supply Agreement between the City of Seattle and the Northshore Utility District.

ORDINANCE NO. 121701

AN ORDINANCE amending the Seattle Comprehensive Plan to incorporate changes proposed as part of the 2004 Comprehensive Plan update process, directing the Director of the Department of Planning and Development to promulgate a Director's Rule regarding the placement of minor communication utilities and repealing Resolution 28752.

ORDINANCE NO. 121699

AN ORDINANCE authorizing the Mayor to execute an amendment to the interlocal agreement with Yakima County for jail services to clarify the responsibilities of the parties with respect to billing and payment, the annual reconciliation, the daily fee for unused beds, and the medical premium.

ORDINANCE NO. 121698

AN ORDINANCE establishing a merit evaluation process related to the confirmation of candidates to fill judicial vacancies occurring in Seattle Municipal Court.

ORDINANCE NO. 121697

AN ORDINANCE related to Seattle Public Utilities, amending that department's 2004 budget and its 2004-2009 Adopted Capital Improvement Program by increasing and decreasing certain appropriations, creating new capital projects and programs, and amending the total dollar amounts allocated for certain projects or programs in the 2004 CIP.

ORDINANCE NO. 121693

AN ORDINANCE related to the City's 2004 - 2009 Capital Improvement Program, amending the 2004 allocations within City Light's Capital Improvement Program related to the South Service Area.

ORDINANCE NO. 121696

AN ORDINANCE relating to the City Light Department, authorizing the acceptance of a grant from The Seattle Foundation to fund a project to provide direct benefits to individual consumers in both Energy Assistance and Energy Efficiency, implementing the necessary agreements, and increasing the expenditure allowance in the 2004 Adopted Budget of Seattle City Light Department for the purpose of fulfilling the grant requirements.

ORDINANCE NO. 121694

AN ORDINANCE related to the City's 2004 - 2009 Capital Improvement Program, amending the 2004 allocations within City Light's Generation - CIP Budget Control Level related to Boundary Data.

ORDINANCE NO. 121693

AN ORDINANCE appropriating and confirming the plat of "Ravenna Court Unit Lot Subdivision" in a portion of Section 4, Township 35, North, Range 4 East, W.M.

ORDINANCE NO. 121692

AN ORDINANCE authorizing the Personnel Director to continue to provide health care coverage for employees who are mobilized by the United States Armed Forces for active military service.

ORDINANCE NO. 121691

AN ORDINANCE relating to the City Light Department, authorizing the sale of real property commonly known as the Bryn Mawr Substation by public bid, authorizing the Superintendent of the City Light Department to offer said property for sale, accept the best offer to purchase and to execute a Quit Claim Deed and designating the disposition of sales proceeds.

Publication ordered by JUDITH PIPPIN, City Clerk

Date of publication in the Seattle Daily Journal of Commerce, December 22, 2004

12/22(180126)

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