

CITY OF SEATTLE
ORDINANCE 127326
COUNCIL BILL 121064

AN ORDINANCE relating to removing the City residency requirement for judges pro tempore in Seattle; amending Section 3.33.140 of the Seattle Municipal Code.

WHEREAS, the Washington State Legislature has amended Revised Code of Washington (RCW) 35.20.200 to provide, among other things, that the Presiding Judge has the authority to appoint Municipal Court judges pro tempore, and that the terms of office of judges pro tempore must be specified in writing; and

WHEREAS, under Washington State case law the maximum term of appointment for judges pro tempore appointed pursuant to the authority of an individual elected official cannot extend beyond the term of office of that elected official; and

WHEREAS, Seattle Municipal Code (SMC) 3.33.140, governing the appointment of Municipal Court judges pro tempore, should be consistent with RCW 35.20.200 and further should clearly set forth the maximum allowable term of appointment consistent with state law; and

WHEREAS, RCW 35.20.200 only applies to cities that have more than 400,000 residents and all other municipal and district courts are authorized to use pro tem judges without a city residency requirement; and

WHEREAS, it has been increasingly difficult to find qualified pro tem judges who reside in Seattle, and without available pro tem judges court calendars may need to be canceled; and

WHEREAS, RCW 35.20.200 was revised in the 2025 Legislative Session to allow for Seattle Municipal Court to use pro tem judges who reside outside Seattle; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3.33.140 of the Seattle Municipal Code, last amended by Ordinance 120002, is amended as follows:

3.33.140 Judges pro tempore((=))

A. The Presiding Municipal Court Judge shall(~~(, from attorneys residing in the City and qualified to hold the position of judge of the Municipal Court as provided in RCW 35.20.170 and SMC Section 3.33.110,))~~) appoint judges pro tempore who shall act in the absence of the regular judges of the Court or in addition to the regular judges when the administration of justice and the accomplishment of the work of the Court make it necessary. The Presiding Municipal Court Judge may appoint, as judges pro tempore, any full-time King County District Court judges. The term of office for a judge pro tempore must be specified in writing and cannot exceed the term of office of the regular elected Municipal Court judges.

B. A judge pro tempore must be an elector of the state and an attorney admitted to practice law before the courts of record of the state. A judge pro tempore need not be a resident of Seattle.

C. While acting as judge of the Court, judges pro tempore shall have all of the powers of the regular judges. Before entering upon his or her duties, each judge pro tempore shall take, subscribe and file an oath as is taken by a municipal judge. Judges pro tempore shall not practice before the Municipal Court during their term of office as judges pro tempore.

D. Municipal Court Judges pro tempore shall receive such compensation as shall be fixed by ordinance of the City, and such compensation shall be paid by the City except that district court judges shall not be compensated by the City other than pursuant to an interlocal agreement.

Section 2. This ordinance shall take effect as provided by Seattle Municipal Code
Sections 1.04.020 and 1.04.070.

Passed by the City Council the 14th day of October, 2025,
and signed by me in open session in authentication of its passage this 14th day of
October, 2025.



President _____ of the City Council

☒ Approved / ☐ returned unsigned / ☐ vetoed this 16th day of October, 2025.



Bruce A. Harrell, Mayor

Filed by me this 16th day of October, 2025.



Scheereen Dedman, City Clerk

(Seal)