



Washington Secretary of State

CLEARINGHOUSE

ELECTIONS NOTICE

Issue: 10-03

Date: June 10, 2010

Judicial Elections and Exceptions

A recent review of the judicial elections chart has instituted three changes to this OSOS resource.

1. Deletion of SPI from Chart

The chart no longer addresses the Office of Superintendent of Public Instruction. Although special provisions remain in place for this office, the chart's purpose is to be a reference for judicial positions.

2. Superior Court Judges

A reinterpretation of [WA Constitution Article IV Section 29](#) and [RCW 29A.52.010](#) affects contested primaries for Superior Court candidates.

The change on the chart is reflected in Superior Court races with three or more candidates. Contested primaries with three or more candidates will now be administered in the same manner for both odd and even-numbered years.

3. Two Charts – New Titles

The updated resource is comprised of two charts identified as “Judicial Elections” and “Exceptions for Judicial Elections in Odd-numbered Years.” These changes were made to clearly express the defining parameters of the two charts.

The new charts are attached to this Clearinghouse and are available at <http://www.sos.wa.gov/assets/elections/JudicialOfficesAppearingontheBallot.pdf>.

If you have questions regarding judicial elections, please contact the Certification and Training Program at (360) 902-4180.

Judicial Elections

Candidates	Supreme Court Court of Appeals		Superior Court		District Court		Municipal Court	
	Primary	General	Primary	General	Primary	General	Primary	General
1	Yes	Yes	Population over 100,000: No because certificate of election is issued after candidate filing. Population under 100,000: Yes. Art. IV, Sec. 29.	Population over 100,000: No because certificate of election is issued after candidate filing. Population under 100,000: Yes. Art. IV, Sec. 29.	No	Yes	No	Yes
2	Yes	Yes If there is a majority in Primary, only the top vote getter advances. If no majority, top two advance. RCW 29A.36.171.	Yes	Candidate with majority of votes in Primary issued certificate of election and does not appear on general election ballot. RCW 29A.36.171 Art. IV, Sec. 29.	No	Yes	No	Yes
3 or more	Yes	Yes If there is a majority in Primary, only the top vote getter advances. If no majority, top two advance. RCW 29A.36.171.	Yes	If there is a majority in Primary, candidate issued certificate of election after Primary. If no majority, top two advance. RCW 29A.36.171. Art. IV, Sec. 29.	Yes	Yes. If there is a majority in Primary, only the top vote getter advances. If no majority, top two advance. RCW 29A.36.171.	Yes	Yes

Exceptions for Judicial Elections in Odd-numbered Years

Candidates	Supreme Court Court of Appeals		Superior Court	
	Primary	General	Primary	General
1	No	Yes	Population over 100,000: No because certificate of election is issued after candidate filing. Art. IV, Sec. 29. Population under 100,000: No. RCW 29A.52.010.	Population over 100,000: No because certificate of election is issued after candidate filing. Art. IV, Sec. 29. Population under 100,000: Yes. RCW 29A.52.010.
2	No	Yes	No	Yes
	RCW 29A.52.010.		RCW 29A.52.010.	
3 or more	Yes	Yes If there is a majority in Primary, only the top vote getter advances. If no majority, top two advance. RCW 29A.36.171.	Yes	If there is a majority in Primary, candidate issued certificate of election after Primary. If no majority, top two advance. RCW 29A.36.171. Art. IV, Sec. 29.

Elections to fill vacancies in District Court may only occur in even-numbered years.

OSOS / Elections Division
Revised 5/20/10