



Secretary of State

Tim Wyman

Judicial Elections

Clearinghouse Elections Notice

Issue #13-01

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Three bills passed the Legislature during the 2013 regular session that will impact judicial elections immediately:

[HB 1474](#) repeals the requirement in RCW 29A.36.170 that allowed a candidate who received a majority of votes in a contested primary to be the only candidate listed on the ballot in the general election. The amended law now requires that the two candidates who receive the greatest number of votes in a primary (and at least 1% of votes cast in that race) advance to the general election.

[2SHB 1195](#) establishes consistency between judicial elections and other nonpartisan races by amending RCW 29A.52.220. The amended law now requires that, for all nonpartisan offices, including judicial offices, a primary be held only when three or more candidates file.

[SSB 5518](#) codifies the decision in *Parker v. Wyman* that a candidate for Superior Court is not required to be a registered voter of the county. The candidate must be a registered voter in Washington State.

Because the law that allowed only one candidate to advance to the general election has been repealed, there is no authority to issue a certificate of election right after the primary. The law for counties with a population of 100,000 or more that allows a certificate of election to be issued right after candidate filing has not changed.

The new framework for judicial elections is explained in the chart attached to this clearinghouse, "[Judicial Elections in Washington State.](#)"

For more information, please contact the Certification & Training Program of the Office of the Secretary of State's Elections Division.

Judicial Elections in Washington State

Candidates	Municipal Court District Court Court of Appeals Supreme Court		Superior Court	
	Primary	General	Primary	General
1	No ¹	Yes ²	County population less than 100,000: No ¹ County population 100,000 or more: No because certificate of election is issued after candidate filing ³	County population less than 100,000: Yes ² County population 100,000 or more: No because certificate of election was issued after candidate filing ³
2	No ¹	Yes ²	No ¹	Yes ²
3 or more	Yes	Yes ²	Yes	Yes ²

¹ [RCW 29A.52.220](#)

² [RCW 29A.36.170](#)

³ [Article IV, Section 29](#)

An election to fill a vacancy in District Court may not occur in an odd-numbered year, per [AGLO 1973 No. 76](#) and [RCW 29A.04.321\(1\)](#).