



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

January 25, 2005

Motion 12068

Proposed No. 2005-0029.2

Sponsors Phillips, Edmonds, von
Reichbauer, Pelz, Gossett,
Patterson and Hague

1 A MOTION related to legal representation pursuant to
2 RCW 4.96.041(3) in connection with recall proceedings,
3 granting approval of the payment of necessary expenses as
4 provided by statute in cases where the office of the
5 prosecuting attorney has granted such approval.

6
7
8 WHEREAS, state law, RCW 4.96.041(3), provides that the necessary expenses of
9 defending an elective officer of a local governmental entity in a judicial hearing to
10 determine the sufficiency of a recall charge and any appeal of the superior court decision
11 on sufficiency shall be paid by the local government entity if requested by the elective
12 officer and if approved by the legislative authority and the attorney representing the local
13 government entity, and

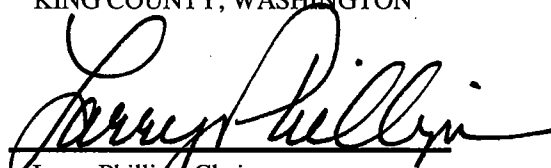
14 WHEREAS, the process set forth by state law for judicial consideration of a recall
15 petition requires the superior court to consider the matter within thirty days of filing a
16 petition, thereby requiring a highly expedited determination for such requests by the
17 legislative authority pursuant to the statute;

18 NOW, THEREFORE, BE IT MOVED by the Council of King County:
19 The council hereby authorizes payment of the necessary expenses of defending
20 any councilmember in a judicial hearing to determine the sufficiency of a recall charge
21 and any appeal of the superior court decision on sufficiency where there has been a
22 request by the councilmember, approval by the prosecuting attorney and written approval
23 by any three councilmembers, consistent with RCW 4.96.041(3).
24

Motion 12068 was introduced on 1/24/2005 and passed as amended by the Metropolitan King County Council on 1/24/2005, by the following vote:

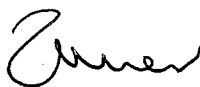
Yes: 10 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Ms. Patterson
No: 0
Excused: 2 - Mr. Ferguson and Mr. Constantine

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments None