

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. 09-25**

**AN ORDINANCE OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, AMENDING  
BUCKLEY MUNICIPAL CODE CHAPTER 2.28.100(5) JUDGES PRO TEM**

---

**WHEREAS**, Chapter 2.28.100(5) of the Buckley Municipal Code establishes policies and rules regarding Judges Pro Tem; and

**WHEREAS**, in 2022, there was a Washington State Revised Code of Washington (RCW) update concerning Judges Pro Tem; and

**WHEREAS**, the City needs to update Buckley Municipal Code 2.28.100(5) to comply with this update.

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1.** Buckley Municipal Code Section 2.28.100(5) titled "Judges Pro Tem" is amended as follows:

**2.28.100 Judge.**

- (1) Appointment. The mayor shall appoint a part-time municipal court judge.
- (2) Term. The municipal court judge shall serve a term of four years. The initial appointment of a judge under this chapter shall expire December 31, 2000. On or before December 1, 2000, the mayor shall make an appointment of a judge for a four-year term commencing January 1, 2001, and expiring December 31, 2005. Appointments for each four-year term thereafter shall be made on or before December 1st of the year prior to the year in which the judicial term commences.
- (3) Judicial Qualifications. A person appointed as a part-time municipal judge shall be a citizen of the United States of America and of the state of Washington, and either:
  - (a) An attorney admitted to practice law before the courts of record of the state of Washington; or
  - (b) A nonlawyer who has passed the qualifying examination for lay judges for courts of limited jurisdiction.
- (4) Additional Judges. Additional part-time judges may be appointed as provided in this section, when the public interest and the administration of justice makes such additional judge or judges necessary.
- (5) Judges Pro Tem. ~~The mayor may, in writing, appoint judges pro tem who shall act in the absence or disability of the regular judge of the municipal court, or subsequent to the filing of an affidavit of prejudice. A pro tem judge's term of appointment shall also be specified in writing, but in any event shall not extend beyond the term of the appointing mayor. The judges pro tem shall be qualified to hold the position of judge of the municipal court as described in this section. The pro tem judges shall receive such compensation as shall be fixed by ordinance of the city.~~ In addition to the designation of a presiding judge pro tempore for a single court pursuant to RCW 3.50.090, the presiding Municipal Court Judge may designate one or more persons as judges pro tem to serve in their absence or when the administration of justice and the accomplishment of the work of the court make it necessary. Before entering on his or her duties, each judge pro tempore shall

take, subscribe, and file an oath as is taken by the duly appointed judge. Such pro tempore judges shall receive such compensation as shall be fixed by ordinance by the municipality in which the court is located and such compensation shall be paid by the municipality.

- (6) Vacancy. Any vacancy in the municipal court due to death, disability or resignation of a judge shall be filled by the mayor, for the remainder of the unexpired term. The appointed judge shall be qualified to hold the position of judge of the municipal court as provided in this section.
- (7) Removal. A municipal court judge shall only be removed upon conviction of misconduct or malfeasance in office, or because of physical or mental disability rendering the judge incapable of performing the duties of the office.
- (8) Oath. Every judge of the municipal court, before entering upon the duties of the office, shall take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Washington, and that I will faithfully discharge the duties of the office of judge of the Municipal Court of the City of Buckley, according to the best of my ability.

The oath shall be filed in the office of the Pierce County auditor.

- (9) Bonds. Every municipal court judge shall give such bonds to the state and city for the faithful performance of the judge's duties as may be required by law or city ordinance.
- (10) Compensation. Pursuant to RCW [3.50.080](#), the compensation for municipal court judges shall be set by the city council by ordinance. The city shall enter into a contract with the appointed judge for professional services. (Ord. 01-00 § 1, 2000).

**Section 2.** Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**Section 3.** Effective Date. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

Introduced, passed, and approved this 14<sup>th</sup> day of October 2025.

  
Beau Burkett, Mayor

Attest:

  
Treva Zumek, City Clerk

APPROVED AS TO FORM:

  
Phil Olbrechts, City Attorney

PUBLISHED: October 22, 2025

EFFECTIVE: October 29, 2025