

SPONSORED BY: COUNCIL STAFF  
INTRODUCTION DATE: \_\_\_\_\_

**RESOLUTION NO.** \_\_\_\_\_

**ESTABLISHING GUIDELINES FOR COUNCIL APPOINTMENT  
TO JUDICIAL AND LEGISLATURE VACANCIES**

**WHEREAS**, the Revised Code of Washington (RCW 3.34.100) and the Washington State Constitution (Art.2, Sec. 15, Amendment 52) identify the county legislative authority's role in filling vacancies; and

**WHEREAS**, the Whatcom County Council has in recent years appointed persons to fill vacancies in district court and the state senate and house positions; and

**WHEREAS**, the Whatcom County Council recognizes the benefits of establishing a standard process for filling all vacancies, including setting clear expectations for applicants and the public and providing efficiencies in the process.

**NOW, THEREFORE, BE IT RESOLVED** that the Whatcom County Council approves the attached Exhibit A: Guidelines for Council Appointment to Judicial and Legislative Vacancies.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Todd Donovan, Council Chair

APPROVED AS TO FORM:

Karen Frakes (by email 3/21/2022)

\_\_\_\_\_  
Civil Deputy Prosecutor

**EXHIBIT A:**  
**GUIDELINES FOR COUNCIL APPOINTMENT**  
**TO JUDICIAL AND LEGISLATURE VACANCIES**

- (1) **VACANCY ANNOUNCED.** Council is made aware of a vacancy requiring Council appointment.
- (2) **NOMINATIONS REQUESTED.** If nominations are required, the Council Clerk will request nominations from the appropriate organization or agency. If it is a cross-jurisdictional appointment, the Council Clerk will coordinate with staff from participating jurisdictions.
- (3) **DISCUSS AND APPROVE PROCESS.** Council Committee discussion of the process to appoint, including application materials, candidate questionnaire, interview questions (if interviews are included), and timeline. Council discussion may include coordination needs with other jurisdictions if it is a cross-jurisdictional appointment. Council may require more than one meeting to finalize the details of the process. All councilmembers should be included in the discussion to the extent possible.
- (4) **PUBLISH NOTICE OF VACANCY AND APPLICATION.** After Council approval of the candidate application and questionnaire, the Council Clerk will publish a public notice announcing the vacancy and providing details on the location of application materials and deadline to receive completed application materials. All candidates or nominees will be asked to complete the application form and questionnaire.
- (5) **RECEIVE APPLICATIONS.** The deadline for candidates or nominees to submit application materials to the Council Clerk will be set and no applications received after the deadline will be considered.
- (6) **POST ALL APPLICANT MATERIALS ONLINE.** All candidate materials are to be made available to the public after receipt. Personal information of applicants may be redacted.
- (7) **INTERVIEW CANDIDATES (if interviews are included).** County Council will hold a public interview of candidates during a Council meeting. All candidates will receive the interview questions in advance of the interview. All candidates will be asked the same interview questions.
- (8) **VOTE TO APPOINT.** County Council will appoint a candidate to the vacancy directly following candidate interviews.