# Advancing Justice

## *Delivering Fair and Timely Justice*

The Idaho Supreme Court Advancing Justice Committee (the Committee) was formed in 2012 to assist the Court in achieving its mission to provide access to justice through the timely, fair, and impartial resolution of cases. It does so by promoting effective caseflow management practices across the state, facilitating the development of caseflow management plans, recommending rule changes and new rules that reduce unnecessary delay in case processing, and conducting outreach to attorneys and other justice partners.

### Guiding Principles of Advancing Justice

1. Every case receives individual attention.
2. Individual attention is proportional to need.
3. Decisions demonstrate procedural justice.
4. Case progress is monitored through early and continuous judicial supervision.
5. Unnecessary delay in case processing is prevented to the greatest extent possible.

## ADVANCING JUSTICE THROUGH EFFECTIVE CASEFLOW MANAGEMENT

Caseflow management refers to court supervision of case progress, including the management of time and events necessary to move a case from filing to resolution. Caseflow management prevents unnecessary case delay and ensures that each case receives individual attention proportional to need, facilitating a timely and just resolution.

The Committee is currently implementing a multi-year plan to facilitate development of caseflow management plans for several major case types in each of Idaho's judicial districts. Plans will be developed for felony, misdemeanor, family law, child protection, termination of parental rights, juvenile, and general civil cases. The caseflow management plans will serve as a tool for judicial districts as they strive to realize efficiencies in case processing and improve the overall administration of justice. The plans also promote consistency, predictability, and common expectations between judges, attorneys, litigants, and the public.

In FY2015, two separate two-day workshops were held in Boise to train teams from each district in principles of caseflow management and to facilitate development of district caseflow management plans in the areas of child protection and family law. The child protection workshop, held in September of 2014, was facilitated by nationally renowned court consultant, Lisa Portune, and Hon. Rob Hoffman from the Texas Judiciary, both subject matter experts in the processing of child protection cases. Each judicial district sent a team that included magistrate judges, trial court administrators, prosecutors, public defenders, court clerks, and representatives from the Department of Health and Welfare and CASA (Court Appointed Special Advocates).

The family law workshop, held in April of 2015, was facilitated by Idaho magistrate judges Russell Comstock of Ada County and Rick Carnaroli of Bannock County. District family law teams included magistrate judges, trial court administrators, court clerks, family law attorneys, and district family court service managers.

District child protection and family law caseflow management plans are expected to be finalized and adopted by local court rule by the end of 2015. In addition, judicial districts continue to work on finalizing their felony caseflow management plans following a statewide workshop that was held during FY2014. The felony plans are expected to be approved by the Idaho Supreme Court and adopted by local court rule by the end of calendar year 2015.

## Modified Court Rules Help the Idaho Courts Achieve Case Management Goals

In an effort to make case management efforts more successful, the Advancing Justice Rules Subcommittee continues to work hand in hand with the Civil Rules and Criminal Rules Committees to draft amendments to existing court rules and new rules that minimize unnecessary delay.

As a result of this work, modifications to several Idaho Criminal Rules (ICR) took effect on July 1, 2015, including the following:

- ICR 5.3(c)(7) was amended to ensure the timely transport of probationers arrested in a county different from the one in which he or she was originally sentenced. It requires the clerk of court in the sending county to provide notice of the defendant's arrest and appearance to the clerk of the receiving county.

- ICR 10 was amended to establish a time limit for the scheduling of an arraignment. It now requires that defendants be arraigned within 30 days of the filing of an information.

- ICR 12 was amended to require specificity in motions to suppress such that the opposing party has sufficient notice of the evidence sought to be suppressed and the legal basis for its suppression.

- ICR 18 was amended to distinguish between felony pretrial conferences and informal settlement conferences, requiring a written record of matters decided at the former.

## Judicial Outreach to the State Bar

Advancing Justice is a multi-disciplinary effort, requiring a common understanding and coordination between the Judiciary, attorneys, and other justice partners. Recognizing this, the Committee has made an effort to update and solicit input from Idaho attorneys whenever possible. Advancing Justice Committee Chair, Senior Judge Barry Wood, Sixth Judicial District Judge Stephen Dunn, and Seventh Judicial District Judge Greg Moeller provided an update at the Idaho State Bar Annual Meeting in July of 2014. In addition, Judge Wood and Judge Dunn presented to the Idaho Trial Lawyers Association in October of 2014.

All of these efforts—the development of caseflow management plans, rule changes that effect more efficient and effective case processing, and outreach to the State Bar—better position Idaho's courts to achieve just and timely case resolution for the good of all Idahoans. The Advancing Justice Committee has made great strides towards ensuring that justice is administered as efficiently and effectively as possible for the benefit of Idaho court users.

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