



IDAHO STATE JUDICIARY



2011 ANNUAL REPORT

A NOTE ABOUT THIS YEAR'S REPORT: LEGISLATION PASSED DURING THE 2011 SESSION CHANGED THE REPORTING PERIOD FOR THE JUDICIARY'S ANNUAL REPORT FROM CALENDAR YEAR TO FISCAL YEAR, WHICH COVERS JULY 1, 2010 THROUGH JUNE 30, 2011.

Message from the New Chief Justice



Doug Lindley / Idaho State Journal

Chief Justice
Roger S. Burdick

It is a great honor to serve as Chief Justice of the Idaho Supreme Court and I thank my colleagues for their unanimous vote of confidence. I know that any success I have had as a judge has been as a direct result of the talented, capable people I have been privileged to work with over a long period of time. I include in that number elected and appointed clerks and court personnel, lawyers who have always been willing to work with me to attempt to solve problems for people and, of course, the law clerks over the years who have been critical to the work judges are able to perform.

My predecessor, Justice Eismann, did an outstanding job as Chief Justice and I plan to continue to promote his initiatives to expand problem-solving courts in Idaho and pursue advances in technology that help modernize court operations. I will maintain the Idaho Judiciary's tradition of independence in fashioning creative ways to solve Idaho's problems—from volunteering work days to help address the budget crisis to working collaboratively with other branches of government to protect society and ensure the well-being of Idaho's children and families.

Independence is one of the great strengths of Idaho's Judiciary – independence in shaping solutions based upon Idaho's needs, constraints, and the use of best practices, as well as consistent decision-making grounded in existing statutes and case law, enabling Idahoans to plan for their professional and private lives.

In an effort to ensure that this tradition of independence and innovation is at the forefront of everything we do as a public institution, the Idaho Judiciary recently renewed its mission statement and goals and adopted six values that reflect our priorities and our commitment. The following was adopted by the Idaho Supreme Court on October 31, 2011:

MISSION STATEMENT OF THE IDAHO COURTS

As the Third Branch of Government, we provide access to justice through the timely, fair, and impartial resolution of cases.

VALUES OF THE IDAHO COURTS

Integrity	Independence	Excellence
Fairness	Respect	Innovation

STRATEGIC GOALS AND MAJOR OBJECTIVES OF THE IDAHO COURTS

- I. **Provide timely, fair, and impartial case resolution**
 - Advance justice by resolving cases as early as possible, while guaranteeing the rights of the parties.
 - Resolve cases involving children and families through the combined efforts of the courts, the family, and community services in ways that are least adversarial and intrusive.
 - Improve the safety and well-being of children and families involved in child protection cases.
- II. **Ensure Access to Justice**
 - Strengthen and expand both Court Assistance Office services and options for legal representation for persons of limited means while increasing the public's awareness of these services.
 - Enhance the ability to efficiently conduct court business by developing technologies, especially electronic filing of all court documents.
- III. **Promote Effective, Innovative Services**
 - Assure the highest level of service by recruiting highly-qualified judges and court personnel and advancing their professional development through educational opportunities.
 - Enhance court programs and services by actively working with the legislative and executive branches of state government, counties, cities, and stakeholders to foster the necessary resources to meet the evolving needs of Idahoans.
 - Provide long-term resolution of cases through effective application of the principles of problem-solving justice.
- IV. **Increase Public Trust and Confidence in Idaho Courts**
 - Protect communities, reduce recidivism, and hold offenders accountable through evidence-based sentencing practices.
 - Increase awareness of the importance of the jury system—as well as the public's participation in that system—and develop strategies to improve jury service and appreciation.



Advancing Justice for All Idahoans

The core mission of the Idaho Judiciary is to provide equal access to every person, a speedy remedy for every injury, and to ensure that justice is administered without delay or prejudice. These primary functions are deeply rooted in both history and law, finding their place in Idaho's Constitution at Article I, Sec. 18, adopted in 1889.

A too common criticism of courts across the nation is that court cases “take too long and cost too much.” Justice delayed is often equated to justice denied. Whether true in Idaho or not, the Idaho Judiciary has responded to this criticism with an open ended, “top to bottom” systems review, which entails asking every judge in each county, and all court personnel and county officers across the state for new ideas on how to better provide timely justice. One of the primary components of this review is a critical evaluation of the current timeframes for processing various case types from filing to case closure, along with an assessment of how judges manage their ever increasingly demanding caseloads. From family law cases to problem solving courts, complex multi-party civil litigation to small claims, and felonies to infractions, all processes of case management are under close review. This significant undertaking has been branded *Advancing Justice*.

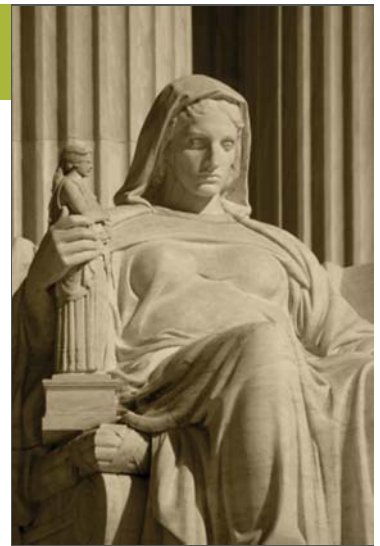
Advancing Justice is about the fundamental commitment of the Idaho Judiciary to provide timely justice to all by searching for unnecessary delay, then developing processes to prevent such delay from re-occurring, all the while being vigilant to protect the individual rights of litigants, victims, and other affected persons. *Advancing Justice* is not about speed just for the sake of speed. It is well understood that some cases take longer to resolve than others. However, the result of removing unnecessary delays and unnecessary costs, will be fair, economic, and timely justice.

To this end, the commitment of the Idaho Judiciary to case resolution and the removal of unnecessary delay is evidenced by the following:

- *Advancing Justice* priorities have been adopted in the Idaho Supreme Court's Mission Statement and Goals.
- The educational curriculum on proven case management principles and practices for Idaho trial judges has been significantly enhanced, and the case management curriculum for new judges is being expanded and updated.
- Strong judicial leadership is being used to implement proven case management principles and practices in every court in every judicial district in this state.
- All Idaho trial judges were recently asked what is working well, which best practices are being used and what are the primary sources of delay in resolving cases. The information gleaned was critically evaluated, revisions and new practices are being implemented, and strategies to sustain the momentum are being developed.
- A technology review is underway to ensure the proper statistical data is being collected, that it is accurate, and that each judge and court administrator timely receives the necessary reports detailing the adopted performance measures for each judge, together with the tracking of each individual case as it is processed through our trial courts.

While the Idaho Judiciary has long been recognized nationally as both a leader and an innovator in the timely processing of cases in its trial courts, it is the belief and dedication of Idaho judges, individually and collectively, that they can strive to do even better.

Appreciating that Idaho's Judiciary is funded by public dollars and the very tough economic times in Idaho are not yet over, Idaho's Judges, court staffs, and all other judicial branch employees are dedicated to *Advancing Justice* by resolving cases as early as reasonably possible, while guaranteeing the individual rights of parties, victims, and other affected persons. Timely justice is justice for Idaho.



The
administrator
of justice is the
firmest pillar of
government.

~ George Washington

Highlights from Idaho's Judicial Districts

1ST JUDICIAL DISTRICT

- Problem-solving courts in the 1st Judicial District are proving their effectiveness by reducing recidivism and saving taxpayer money. The district plans to establish a domestic violence problem-solving court in the near future.
- The Kootenai County Juvenile Justice Center opened and now houses the Juvenile Probation Department and Juvenile Diversion Department.
- The district opened two additional courtrooms and a child protection waiting room in the Juvenile Justice Center.
- Renovation of an additional court room is on hold at the Bonner County Court House while asbestos removal continues.

2ND JUDICIAL DISTRICT

- The Nez Perce County Drug, Mental Health, and DUI courts remain at capacity. Both the Mental Health and Adult Drug Courts have created an alumni program for education and fundraising purposes.
- Nez Perce County Court Services received "private provider" status through the state of Idaho and Behavioral Psychology Associates to provide adolescent/adult drug and alcohol addiction treatment.
- Nez Perce County Court Services performed a "cost-effectiveness" survey which determined the average daily cost associated with probation was less than \$2 per client versus \$107 for county jail incarceration.
- The Information Technology Department implemented video court arraignment in the jail thereby eliminating the need for daily transport of inmates to and from court.

3RD JUDICIAL DISTRICT

- New domestic violence, restorative justice, and misdemeanor DUI courts were launched in Canyon County.
- Canyon County received a \$98,000 Byrne/JAG grant to fund a coordinator position and operating expenses for the new misdemeanor DUI court.
- A specially designed children's waiting room was constructed in the Canyon County Courthouse.
- Owyhee County received a Homeland Security grant to upgrade courthouse security.
- Pro se workshops for individuals in Payette and Washington counties have been made available by the Idaho Volunteer Lawyers Program.
- The Canyon County Court Assistance Office is conducting forms workshops for pro se litigants filing family court actions.

4TH JUDICIAL DISTRICT

- The Guardianship Monitoring Program developed an internship program with Boise State University using accounting students to audit guardianship and conservatorship reports, and social work students to perform court visits.
- A Focus on Children Class was offered to 3,004 parents, of which 90% felt the class was helpful. The Focus Class is for parents in the 4th Judicial District who are going through a divorce, custody case, or modifying a court order.
- Family Court Services began conducting Family Needs Assessments designed to help parents resolve their differences and reach a resolution on parenting issues.
- The courts processed 3,451 interpreter requests for case-related appearances involving 40 different languages.
- Ada County Felony Drug Court celebrated its 11th year. There have been 685 graduates since its inception.
- Ada County Mental Health Court celebrated its 5th anniversary and based on the best data available, maintained a recidivism rate of zero new felony charges for any graduate of the program.



5TH JUDICIAL DISTRICT

- The underage, first-time Tobacco/Alcohol Case Coordination citation program (TACC) was expanded to three more counties in the district and now serves six of the eight counties in the district.
- The district hosted quarterly court interpreter training for interpreters, as well as two certification training sessions.
- Phased case planning was implemented by the Department of Health and Welfare in Twin Falls County, a Child Protection Pilot Project county.
- This district is working to establish a domestic violence court in Minidoka and Cassia county courts.
- A 1.5 day deputy clerk training was completed in September, with a total of 64 attending the sessions.

6TH JUDICIAL DISTRICT

- Bannock County received a two-year \$399,000 federal grant from the Office on Violence Against Women to improve victim services, increase offender accountability, and launch training initiatives.
- Court Assistance served 6,956 individuals, a 17% increase from the previous year.
- Ten drug-free babies were born as a result of the problem-solving court in the 6th Judicial District.
- Court Assistance implemented weekly workshops in Bannock County to assist parents with divorce or child custody modifications.

7TH JUDICIAL DISTRICT

- Court Assistance began weekly divorce workshops in Bonneville County to address the high demand for form review appointments.
- A regional High-Risk Intensive Treatment Domestic Violence Court for felony and misdemeanor offenders was implemented using Byrne grant funding. The court has grown to 20 participants from three counties.
- Child custody mediations increased 25%. The 7th Judicial District leads Idaho with a 76% success rate in the mediation of custody cases.
- Multiple counties implemented video conferencing systems for arraignments and other court hearings between the adult jails, juvenile detention centers, Behavioral Health Center, and the courtrooms.

Changes within the Judiciary

(for the period from July 1, 2010 to June 30, 2011)

NEW JUDGES	JUDICIAL CHANGES
2nd Judicial District	
Honorable Michael Griffin, District Judge January 2011	Honorable John Bradbury, District Judge Retired December 2010
3rd Judicial District	
<i>Position held vacant, per Budget Holdback Policy</i>	Honorable James Peart, Magistrate Judge, Adams County Retired December 2010
5th Judicial District	
Honorable Nicole Cannon, Magistrate Judge, Twin Falls County March 2011	Honorable Howard Smyser, Magistrate Judge, Twin Falls County Retired January 2011
6th Judicial District	
<i>Position held vacant, per Budget Holdback Policy</i>	Honorable O. Lynne Brower, Magistrate Judge, Bear Lake County Retired March 2010
7th Judicial District	
<i>Position held vacant, per Budget Holdback Policy</i>	Honorable Keith Walker, Magistrate Judge, Fremont County Retired December 2010
Honorable Steven Gardner, Magistrate Judge, Bonneville County January 2011	Honorable Linda Cook, Magistrate Judge, Bonneville County Retired December 2010
Honorable Dane Watkins, District Judge January 2011	Honorable Gregory Anderson, District Judge Retired December 2010

Court Highlights for Fiscal Year 2011

CHILDREN AND FAMILIES IN THE COURTS

- Family Court Services (FCS) responded to over 66,000 requests for information and services.
- Family Court Services' parent education workshops served 7,413 parents benefiting 9,793 children. Statewide surveys of each class have shown that 98% of parents report they will work with the other parent to reduce their conflict for the sake of the children.
- Alternative dispute case management screenings were offered in 949 cases statewide, a 72% increase over 2010. Case management screenings help parties access resources and identify barriers to resolution early in the court process.
- Mediation is offered in every judicial district and is an excellent resource for families. This past year, 1,537 families utilized Supreme Court registered child custody mediators and FCS staff to help them resolve their custody disputes. This is an increase of 18% over 2010.

COURT ASSISTANCE AND SELF-HELP CENTER

- The demand for court assistance services increased for the third consecutive year to a record 60,614 requests, an increase of 11% over last year. While court assistance officers report difficulty in meeting the increase in demand for help, they continue to explore new ways to provide service through the use of technology, workshops and collaboration with members of the Idaho Bar Association.
- Pre-filing workshops are now available in three judicial districts—the 1st, 3rd, and 7th districts. The workshops provide assistance with court forms, court procedure, form review, child support calculation, and resources for self-represented litigants handling their own divorce or custody case. The group setting allows a court assistance officer to help more people in less time and in a more effective way.
- Building on the success of its pre-filing workshops, the first monthly attorney workshop debuted in the 6th Judicial District in April of 2011. The workshop provides a forum for persons handling their own court cases to ask a lawyer general legal questions on any topic. Lawyers participate pro bono through the Idaho Volunteer Lawyer Program.

DOMESTIC VIOLENCE COURTS

- Domestic violence courts monitored over 1,575 offenders in FY2011—a 73% increase over the last two years—and domestic violence court judges held over 3,875 judicial review hearings.
- Domestic violence court coordinators assisted 1,695 victims in the civil and criminal justice systems, which represents a 7% increase from last year and a 70% increase from the first year of Idaho's domestic violence courts.
- In October 2010, grant funding from the Office on Violence Against Woman allowed the Judiciary to hold the first Idaho Domestic Violence Court Conference. Over 80 domestic violence court team members from around the state of Idaho were in attendance, including judges, court clerks, prosecutors, victim witness coordinators, public defenders, probation officers, and family court service coordinators and domestic violence court coordinators. The conference evaluations gleaned high marks for the conference overall and the participant comments were extremely supportive and positive.

JUVENILE JUSTICE

- Juvenile filings were up slightly over last year. There was nearly a 9% increase in juvenile filings alleging crimes that, if committed by an adult, would be felonies.
- The legislature passed new juvenile competency legislation this past year based upon the recommendation of judges who handle juvenile cases. The legislation specifically addresses competency issues arising when juveniles charged with crimes have alleged developmental disabilities. These are some of the most challenging and complex cases that judges handle.
- This past year, Idaho courts worked with Idaho counties and the Department of Juvenile Correction to develop a collaborative management plan for funding allocated by the Legislature for substance abuse treatment of juvenile offenders.



PROBLEM-SOLVING COURTS

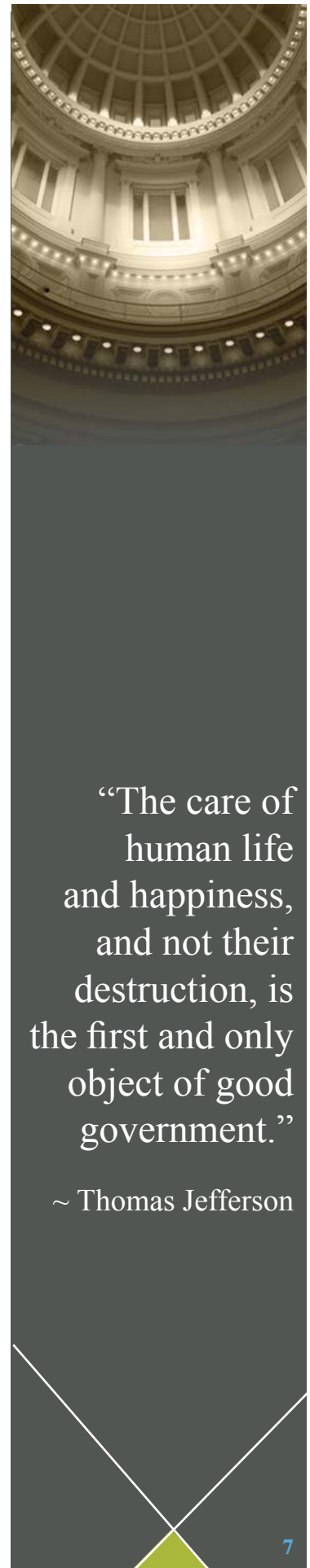
- Throughout the past fiscal year, all drug courts and mental health courts combined supervised a total of 2,244 felony, misdemeanor, and juvenile offenders. Collectively, the adult drug courts supervised 1,670 offenders, mental health courts supervised 324 offenders, and juvenile drug courts supervised 204 youthful offenders. A total of 596 offenders graduated from drug and mental health courts this past year.
- In FY 2011, of 134 total terminations from Idaho DUI courts, 118 (88%) were graduations. These courts are an effective response to the crime of driving under the influence of intoxicants, with promise for achieving long-term public safety not offered by punitive sanctions alone.
- Ada County and Canyon County both began formal planning and resource development to establish a veterans' treatment court. Veterans' treatment courts offer a humane and yet accountable approach to resolving clinical and criminal issues while reducing both short term and long term costs associated with incarceration.
- Idaho's four child protection drug courts served 104 parents. Because child protection drug courts emphasize services not only to address parental substance abuse and other debilitating issues but also to meet the needs of the children, it is believed that they offer a real chance to end the intergenerational cycle of substance abuse and child maltreatment.

FELONY SENTENCING ALTERNATIVES

- The highest priority of the Felony Sentencing Committee this past year was to strengthen information provided to district judges on offenders prior to sentencing. To this end, the Committee worked closely with the Idaho Dept. of Correction (IDOC) to enhance the presentence investigation report so that it provides more detailed information about offender characteristics, strengths, and risks.
- The Idaho Supreme Court approved the creation of the Idaho Sentencing Information Database (ISID), a web-based database that provides aggregate level data on various offender characteristics such as charge, age, gender, and prior criminal history. It is used to generate a summary of the statewide sentences for an offender with similar characteristics to that of the current offender, which judges utilize when sentencing offenders.
- The Committee worked closely with IDOC to create new options for offenders on retained jurisdiction, wherein a judge may enter a judgment of conviction and impose sentence but retain their jurisdiction while the offender completes IDOC programming. Judges may now choose one of three retained jurisdiction options: 1) 90 day substance abuse treatment program; 2) 180 days of treatment and education; or 3) 270 days in the Therapeutic Community Rider.

MISDEMEANOR PROBATION SERVICES

- Idaho's 91 full time and 14 part time misdemeanor probation officers supervise approximately 14,000 misdemeanor offenders at any given time, providing for community safety, offender rehabilitation and offender accountability. By supervising offenders in the community, misdemeanor probation provides judges with sentencing options that help relieve the burden on county jail populations and supports keeping offenders employed and productive.
- Misdemeanor probation officers are key to the success of Idaho's problem solving court efforts, providing case management for approximately 240 participants of drug and DUI courts at any given time. Additionally, misdemeanor probation officers provide case management and supervision for misdemeanor participants of mental health, domestic violence and child protection courts.
- Idaho's misdemeanor probation departments made marked progress toward the goal of ensuring supervision of all offenders be based on risk assessment using the Level of Service Inventory, Revised (LSI-R). Currently, 25 of the 43 counties with misdemeanor probation departments report that the LSI-R is being used to assess the risks and needs of all or part of the offenders supervised in that county.



“The care of human life and happiness, and not their destruction, is the first and only object of good government.”

~ Thomas Jefferson



CHILD PROTECTION

- In July of 2011, Idaho judges who hear a significant number of child protection cases each year attended an advanced Child Protection Institute, offered in partnership with the National Council for Juvenile and Family Court Judges. It was very well received by the judges in attendance.
- The Child Protection Committee assisted the Department of Health and Welfare with the development and implementation of new standardized court reports that include, in a very user friendly format, all of the key information necessary for the court to make the critical decisions required in child protection cases.
- Two key case management reports for judges who hear child protection became available in FY2011. Judges and court staff will now measure the timeliness of key child protection hearings, identify best practices that contribute to timely hearings, share the best practices with courts around the state, and, where necessary, take steps to improve the timeliness of hearings.

GUARDIAN AD LITEM PROGRAMS

- In FY 2011, Guardian ad Litem programs saw a 33% increase in the number of volunteers assigned to advocate for an abused and neglected child in foster care. Those volunteers donated 28,140 hours to investigate cases, attend hearings, find community resources for families, and meet with children and families.
- Statewide, Guardian ad Litem programs were able to fundraise almost half million dollars to benefit Idaho's most vulnerable children.
- The "Raise Your Hand for a Child" volunteer recruitment campaign was kicked off during the summer of 2011. Objectives of the campaign include increasing the number of volunteers across the state by 10% and increasing the number of volunteers in rural counties enough that at least 95% (and ideally, 100%) of children needing a volunteer will have one.

GUARDIANSHIP AND CONSERVATORSHIP

- In guardianship and conservator cases, a third party is appointed to assume physical caretaking and/or asset management for an elderly person, minor, or otherwise incapacitated person. There were 1,262 new guardianship and conservatorship filings in Idaho in FY2011, up slightly from the previous year.
- Improved monitoring techniques have resulted in conservators being far more compliant in filing the annual accounting and inventory required of all conservators by law as well as in the capacity to detect the misuse of property or funds. Over 1,710 accountings, reflecting over 212 million dollars, have been submitted for review by the Administrative Office of the Courts.
- All individuals petitioning to become a guardian or conservator for an incapacitated adult are now required to complete an on-line training course prior to being appointed. The training provides a sound basis for lay persons, who comprise the bulk of those who act in the capacity of guardians and conservators, to understand clearly their responsibilities and duties when they take on these important legal obligations on behalf of incapacitated persons.

LANGUAGE ACCESS

- The Supreme Court continues to work diligently to improve access to the courts for individuals who have limited or no ability to communicate in English or who are deaf and hard of hearing. The Court conducts annual orientations and skill-building workshops for court interpreters, as well as administers oral proficiency exams for court interpreter certification.
- The U.S. Department of Health and Human Services reported the number of refugees arriving in Idaho has increased from 557 in 2006 to 1,231 in 2009, a 45 percent increase.
- The 2010 Census data for Idaho shows the population five years and older speaking a language other than English at home increased 20.7 percent over the last ten years.
- In 2010, court interpreters were needed for 45 different languages.



COURT TECHNOLOGY

- Working with the Idaho Sheriff's Association, electronic court data is being provided daily to the Victim's Notification System –VINE. Citizens who want to receive electronic alerts about a court case can sign up for VINE. Pilot testing is currently underway, with full statewide implementation slated for January 1, 2012.
- The Judiciary worked with Idaho State Police to complete their roll-out of 191 e-citation systems in their cars across the state. The system has replaced handwritten tickets with citations produced by computers housed in police vehicles or handheld devices, increasing the accuracy of the data gathered and reducing workload.
- For the second year, Idaho courts intercepted state tax refunds to pay overdue court fees and fines due the courts. Over 28,500 refunds have been intercepted and \$5.6 million dollars have been collected through this legislative initiative.
- A statewide refresh of over 1,300 desktop and 65 notebook computers, along with 44 servers, over 500 printers and the newest software is complete in all but two counties, Ada and Bonner. Ada is scheduled to receive their equipment and software in November of 2011, with Bonner slated for early 2012. This new equipment will facilitate future technology advances to better serve Idaho's citizens.

SENIOR JUDGES

- The Supreme Court assigns senior judges upon determining there is a need and the assignment will promote the efficient administration of justice. A senior judge has all the judicial powers and duties of a regularly-qualified judge of the court to which the senior judge is assigned. Senior judges permit Idaho courts to resolve an ever increasing number of cases timely and to do so at less cost to Idaho's citizens.
- As part of an extraordinary effort to meet budget shortfalls, the Idaho Supreme Court held three magistrate judgeships vacant in FY2011 in Adams, Bear Lake, and Fremont Counties. Retired judges residing in these counties are assigned to these calendars on a part time basis, helping to minimize the impact of the vacancies and making this significant budget reduction a possibility.
- Senior judges worked a total of 1,936 days in FY2011, which is the equivalent of almost nine additional judgeships and translates into a remarkable savings to the citizens of Idaho and to the General Fund. The number of senior judge days worked has increased by 25% over the past five years, an indication of Idaho's greater reliance on senior judges during challenging economic times.



“The greatest things are simple and many can be expressed in a single word: freedom, justice, honor, duty, mercy, hope.”

~ Winston Churchill

Recognition, Awards, and New Developments

JUSTICE ROGER BURDICK TO SERVE AS CHIEF JUSTICE

Justice Roger Burdick was unanimously elected by his colleagues to serve as Chief Justice of the Idaho Supreme Court. Justice Burdick began his four year term as Chief Justice on August 1, 2011 and was formally sworn in at a ceremony on August 9th. He succeeds Justice Daniel Eismann, who will continue to serve on the state's highest court.

JUDGE DAVID GRATTON NAMED TO LEAD IDAHO COURT OF APPEALS

In January 2011, Judge David Gratton was appointed by Chief Justice Eismann to serve as the Chief Judge of the Idaho Court of Appeals for a two year term. Judge Gratton will preside over and exercise administrative responsibilities for the Court of Appeals.

CORRIE KELLER RETIRES AFTER 27 YEARS WITH IDAHO COURTS

Corrie Keller retired in July of 2011 after working for the Idaho Courts for 27 years. Corrie began his career with the Courts as an Elected Clerk in Bannock County and later became the Trial Court Administrator for the 6th Judicial District before joining the Administrative Office of the Courts, where he worked as the Chief Financial Officer, Director of Court Services, and most recently, the Deputy Administrative Director.

LINDA COPPLE TROUT PRESENTED WITH SHELDON A. VINCENTI AWARD

Retired Chief Justice Linda Cople Trout was presented with the Sheldon A. Vincenti Award for Exemplary Service in June 2011. This award recognizes individuals who have rendered exceptional service to the University of Idaho College of Law. Senior Justice Trout has served as an adjunct instructor in family law of the University of Idaho and as chair of the College of Law Advisory Council. She currently serves as the legal profession member of the College's Self-Study Committee for continuing accreditation by the American Bar Association and continuing membership in the Association of American Law Schools.

OLSON AND CASTLETON RECEIVED TOP JUDICIAL HONORS

Bonneville County Mental Health Court Coordinator, Eric Olson, was presented with the 2010 Kramer Award and the Director of Judicial Education for the Idaho Supreme Court and former Magistrate Judge, Lowell Castleton, was selected as the 2010 Granata Award recipient. The recipients are chosen annually by virtue of their significant contributions to the Idaho judicial system. Both awards were presented in September in Idaho Falls.

JUDGE AWARDED SOCIAL JUSTICE AWARD

In September 2010, the Catholic Charities of Idaho Marie D. Hoff Social Justice Achievement Award was given to Judge Michael R. McLaughlin, District Judge, of the Ada County Mental Health Court. The Marie D. Hoff award recognizes a person or organization that seeks to call forth and engage people in order to transform social structures that perpetuate injustice and poverty and lives out their faith through following the principles of Catholic social teaching.

NATIONAL MEDIA AWARD HONORED IDAHO DRUG COURTS

Fourth Judicial District Judge Ron Wilper was recognized in August 2010 with a national media award at the National Association of Drug Court Professionals conference in Boston. The award was given for developing a public service announcement in support of drug courts in Idaho.



PROBLEM-SOLVING COURTS REFERENCED AT NATIONAL SYMPOSIUM

Judge Bryan Murray, Norma Jaeger, and Michelle Carney presented “Child Protection Drug Courts: A Model for Collaboration” at a national symposium in Alexandria, Virginia in July. In addition, Norma Jaeger was asked to participate in a multi-disciplinary focus group on dissemination of available evidence-based practices in this field. Throughout the conference, the success of the problem-solving court model was widely referenced from jurisdictions across the nation.

ADOPTION DAY HELD AT THE IDAHO SUPREME COURT

On November 1, 2010, the Idaho Supreme Court honored Adoption Day: a day set aside to recognize the importance of giving children permanent, safe, and loving families through adoption. The morning started with six Ada County adoptions, followed by lunch with adoptions from Canyon County and surrounding areas in the afternoon. Each family was given a “Happy Adoption Day” book, balloons, a fuzzy bear, and a cake donated by Angel Cakes Charity.

EMILY CARROLL OF COEUR D’ALENE RECEIVES 2011 CHILDREN’S ADVOCATE & PROTECTOR AWARD

The Idaho Supreme Court Child Protection Committee awarded the Children’s Advocate and Protector Award to Emily Carroll, a junior at Post Falls High School. The award acknowledges the work of those who strive to improve outcomes for Idaho’s abused and neglected children. Carroll founded the North Idaho Clothing Exchange (NICE) to provide stylish, up-to-date clothing for foster youth and children.

TRANSITION IN IDAHO SUPREME COURT JUDICIAL EDUCATION STAFF

In December of 2010, Judge Lowell Castleton retired as the Director of Judicial Education, a position that he held for over eight years. As of the beginning of the year, 4th Judicial District Judge Michael McLaughlin and Bonner County Magistrate Judge Debra Heise became Co-Directors of the program.

IDAHO STATE LAW LIBRARY RELOCATES / IDAHO LAW LEARNING CENTER FINDS A HOME

The Idaho State Law Library was relocated to the Idaho Water Center, on the corner of Broadway and Front Street in downtown Boise. The Law Library will occupy space adjacent to the University of Idaho College of Law on the 5th Floor of the building.

The University of Idaho, in collaboration with the Idaho Supreme Court, plans to develop a Law Learning Center at the historic Ada County Courthouse in Boise. The Center will house an enhanced Law Library as well as Boise programs of the College of Law, while providing a venue for continuing judicial education and law-related civic education for the public.



Justice denied
anywhere
diminishes justice
everywhere.

~Martin Luther King, Jr.

Statewide Caseload Highlights

FOR FISCAL YEAR 2011

- A total of 1,016 appeals were filed with the Idaho Supreme Court in FY2011. Of these, 66% were criminal cases and 26 % were civil.
- District Court civil filings have begun to level off after a dramatic increase over the past couple of years. They continue to be higher than usual, however, and have increased by 30% overall since 2006.
- After a gradual decline in recent years, District Court criminal filings are increasing; they were up by 20% over last year's filings.
- Both felony drug and felony DUI cases increased substantially in FY2011, by 33% and 29% respectively.
- Misdemeanor cases, on the other hand, continue to decline; they were down 7% in FY2011 and have decreased a total of 12% over the past five years.
- Child protection cases decreased 8% last year, resulting in the lowest number of new child protection filings in at least six years.
- Domestic relations cases leveled off in FY2011 after seeing a gradual increase of 10% over the past five years.
- Juvenile cases were up slightly last year. Most of the increase was in juvenile felony cases, which rose by 9%.
- In keeping with the trend of the past few years, small claims cases were down 9% last year. Small claims filings have decreased by 27% since 2006.



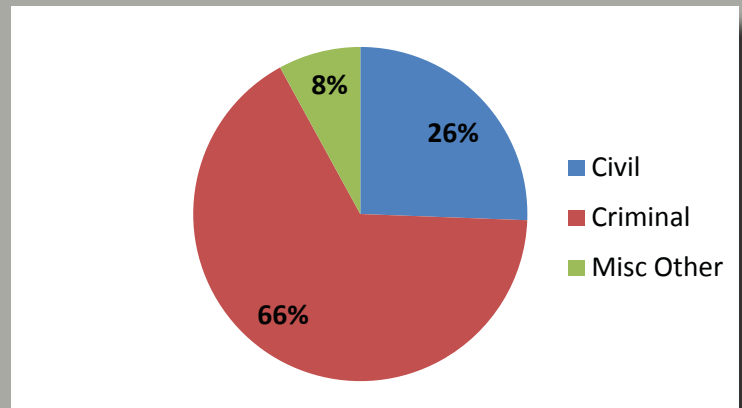
Statewide Caseload Trends

APPELLATE CASES FILED

	CY 2009	CY 2010	FY 2011*
Civil	228	259	260
Criminal	760	675	675
Misc. Other	117	83	81
Total	1,105	1,017	1,016

* Switched to fiscal year reporting in 2011.

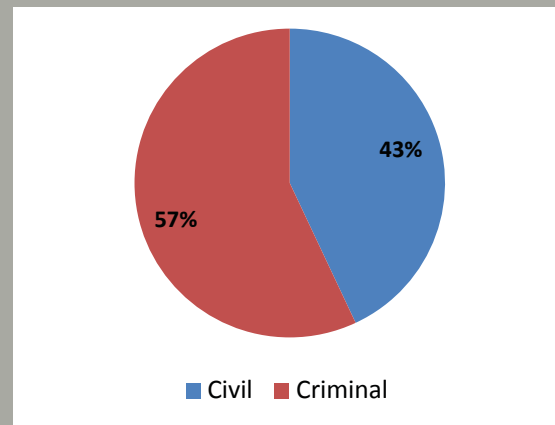
FY2011 APPELLATE CASELOADS



DISTRICT COURT CASES FILED

	FY 2009	FY 2010	FY 2011
Civil	10,223	10,119	9,721
Criminal	10,568	10,734	12,875
Total	20,791	20,853	22,596

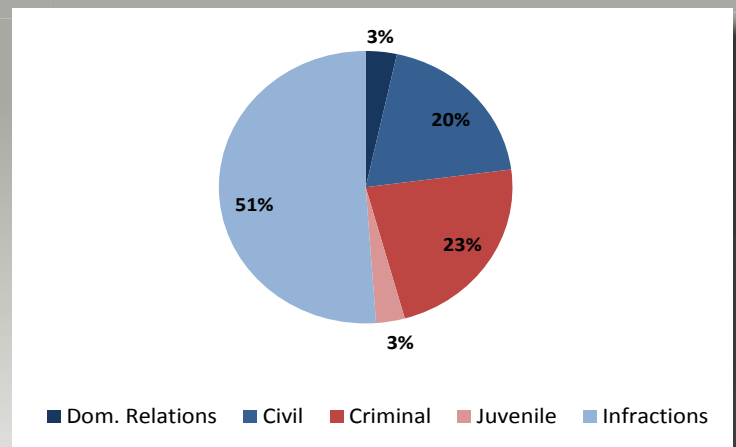
FY2011 DISTRICT COURT CASELOADS



MAGISTRATE DIVISION CASES FILED

	FY 2009	FY 2010	FY 2011
Civil	82,367	84,470	84,441
Domestic Relations	13,779	14,712	14,813
Misdemeanor	106,811	96,734	89,889
Felony	8,176	8,993	8,735
Total Criminal	114,987	105,727	98,624
Juvenile	14,195	13,200	13,713
Infractions	247,859	227,921	221,375
Total	473,187	446,030	432,966

FY2011 MAGISTRATE DIVISION CASELOADS



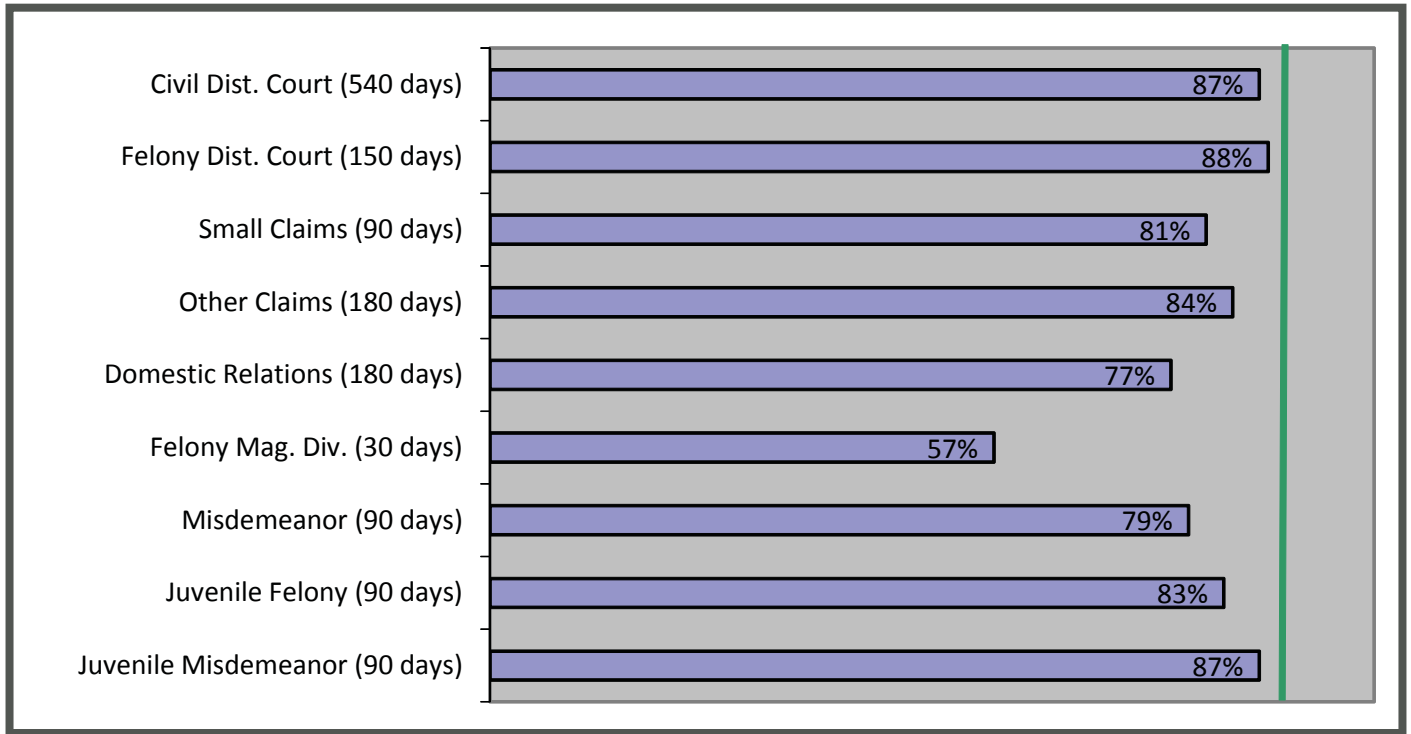
Update on Court Performance Measures

The Idaho Supreme Court has adopted nine court performance measures developed by the National Center for State Courts and has ordered that they be “established, monitored, and published regularly.” Five of the nine court measures are being implemented—Clearance Rates, Time to Disposition, Age of Pending Caseload, Access and Fairness, and Court Employee Satisfaction.

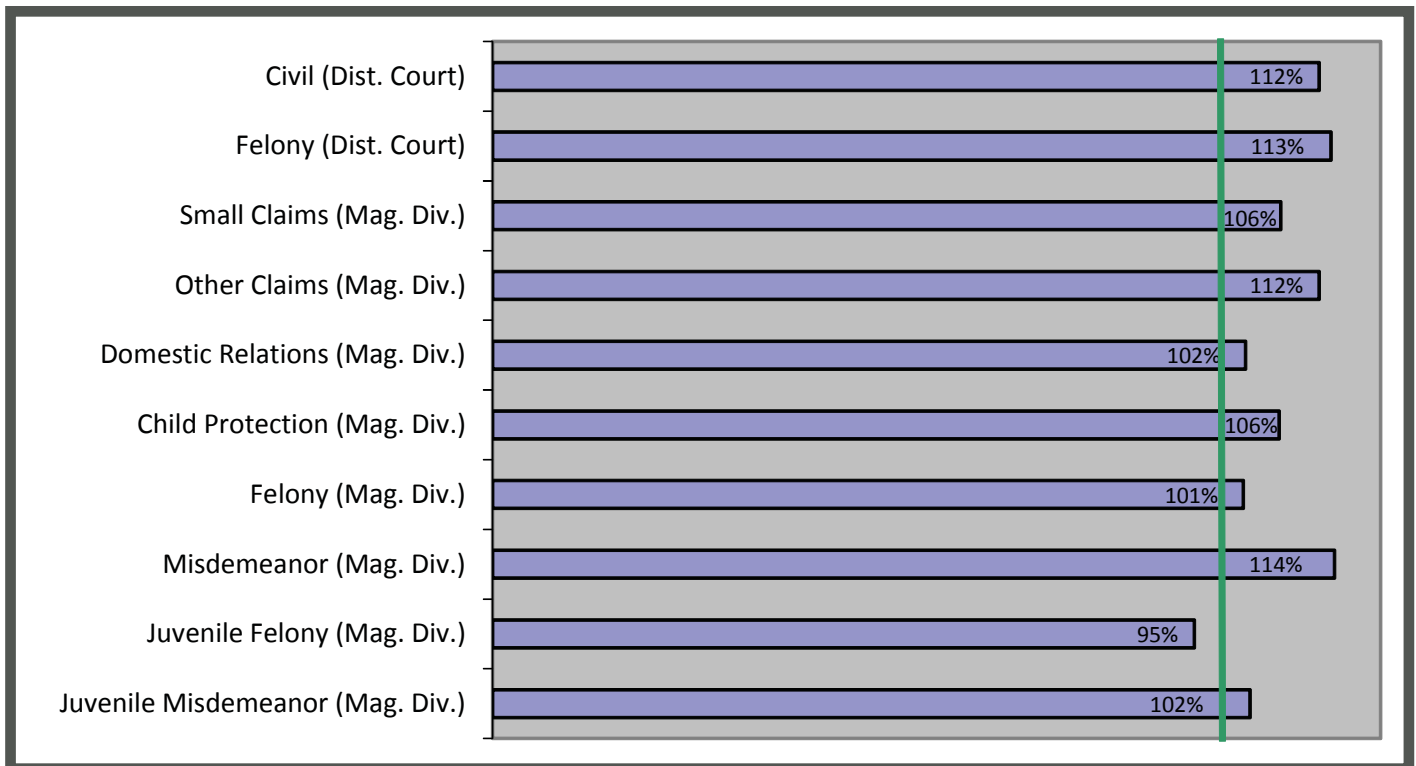
- A **Clearance Rate** is the number of outgoing cases as a percentage of the number of incoming cases. The Court’s goal is to dispose of at least as many cases as have been filed or reopened. This goal was met for nine of ten case types in FY2011.
- **Age of Pending Caseload** refers to the age of active cases, cases that have not yet been disposed. This measure is used to compare actual caseloads against benchmarks, and Idaho courts strive to meet the standard in 90% of cases. Though Idaho courts did not quite achieve this goal in FY2011, more than 80% of cases met time standards for seven of nine case types.
- **Time to Disposition** measures the length of time it takes courts to process cases. Like Age of Pending Caseloads, it is used to compare actual case processing times against pre-determined benchmarks, with the goal that at least 90% of each case type meets the established timeframes.
- The **Access and Fairness survey** provides court users such as litigants, family members of litigants, jurors, witnesses, and attorneys, an opportunity to provide feedback on several dimensions of court accessibility and fairness. It has been administered to all counties in the 1st and 5th Judicial Districts (a total of 13 counties) and the results will be available in the fall of 2011. Administration of the survey will take place in the 6th and 7th Judicial Districts over the next few months.
- The **Employee Satisfaction survey** is designed to assess the quality of the work environment within the Judiciary and to facilitate positive organizational change and development. The results of the Judiciary’s first Employee Satisfaction Survey, administered in 2010, were very positive overall. An implementation team, made up of court employees working in a variety of areas, is currently developing recommendations and implementation strategies based on results of the survey.



PERCENTAGE OF PENDING CASES MEETING TIME STANDARDS
AS OF JUNE 30, 2011



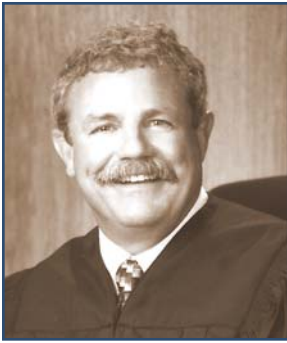
STATEWIDE CLEARANCE RATES
FOR FISCAL YEAR 2011



Annual Report of the Idaho State Judiciary

SUPREME COURT

Chief Justice Roger S. Burdick | Justice Daniel T. Eismann
Justice Jim Jones | Justice Warren E. Jones
Justice Joel D. Horton



Chief Justice Roger S. Burdick



Justice Daniel T. Eismann



Justice Jim Jones



Justice Warren E. Jones



Justice Joel D. Horton

COURT OF APPEALS

Chief Judge David W. Gratton | Judge Sergio A. Gutierrez
Judge Karen L. Lansing | Judge John M. Melanson

ADMINISTRATIVE DISTRICT JUDGES

Hon. John Mitchell - 1st Judicial District
Hon. Jeff Brudie - 2nd Judicial District
Hon. Juneal Kerrick - 3rd Judicial District
Hon. Michael Wetherell - 4th Judicial District
Hon. Richard Bevan - 5th Judicial District
Hon. David Nye - 6th Judicial District
Hon. Jon Shindurling - 7th Judicial District

TRIAL COURT ADMINISTRATORS

Karlene Behringer - 1st Judicial District
Hon. Jay Gaskill (Acting) - 2nd Judicial District
Dan Kessler - 3rd Judicial District
Larry Reiner - 4th Judicial District
Linda Wright - 5th Judicial District
Suzanne Johnson - 6th Judicial District
Burton Butler - 7th Judicial District

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PHOTO CREDITS

The Idaho Heritage Trust has significantly contributed to this publication by providing courthouse images by photographer Jan Boles.

The Idaho Heritage Trust was created by Idaho's Centennial Legislature to help preserve the historic fabric of Idaho for the state's Bicentennial in 2090. Fifty cents from each standard Idaho plate goes into an endowment fund. The interest from the fund, in partnership with money from local communities, helps to preserve historic buildings, sites and artifacts throughout Idaho. To date, the Trust has helped more than 300 organizations and has funded projects and architectural, engineering and conservation assistance in every county in Idaho.

One of the decisions made by the Idaho Heritage Trust's Board of Trustees is to document the historic buildings of Idaho in our time as a gift for the coming generations. This year, in addition to photographing Trust projects throughout Idaho, the Idaho Heritage Trust has asked photographer Jan Boles of Caldwell to document the state's courthouses and the Trust is proud to share a few of those photographs with the Idaho Supreme Court for this report.