

FY2011 ANNUAL REPORT EXECUTIVE SUMMARY



IDAHO JUDICIARY

Message from the New Chief Justice

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.

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.

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:

*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*

Advancing Justice for All Idahoans

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 or not in Idaho, the Idaho Judiciary has responded to this criticism with an open ended, "top to bottom" systems review, which entails asking all judges and court personnel for new ideas on how to better provide timely justice. 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 and eliminating sources of unnecessary delay, 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 delay and unnecessary costs, will be fair, economic, and timely justice.

Drug /Mental Health Courts and Alternative Sentencing Keep Communities Safe

- Drug courts and mental health courts supervised a total of 2,244 felony, misdemeanor, and juvenile offenders.
- 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.
- The Felony Sentencing Committee worked closely with Idaho Department of Correction to create new options for offenders on retained jurisdiction. 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.
- 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.

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Children and Family Services Strengthen and Support Families

- Family Court Services responded to over 66,000 requests for information and services.
- Family Court Services parent education workshops served 7,413 parents benefiting 9,793 children.
- 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.
- Domestic violence courts monitored over 1,575 offenders – a 73% increase over the last two years.
- Domestic violence court coordinators assisted 1,695 victims in the civil and criminal justice systems, a 70% increase from the first year of Idaho's domestic violence courts.
- Guardian ad Litem programs saw a 33% increase in the number of volunteers assigned to advocate for abused and neglected children 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.
- 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, to understand clearly their responsibilities and duties when they take on these important legal obligations on behalf of incapacitated persons.

District Court Services and Information Systems Initiatives Exceed Expectations

- Court interpreters were needed for 45 different languages.
- 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.
- 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.

Recognition, Awards, and New Developments: A Year of Accomplishments

- **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** was appointed by Chief Justice Eismann in January 2011 to serve as the Chief Judge of the Idaho Court of Appeals for a two year term.
- **Retired Chief Justice Linda Cople Trout** was presented with the Sheldon A. Vincenti Award for Exemplary Service. The award is given to individuals who have rendered exceptional service to the University of Idaho College of Law.
- The Granata Award was presented to **Judge Lowell Castleton**, former Director of Judicial Education and magistrate judge, and the Kramer Award was presented to **Eric Olson**, Bonneville County Mental Health Court Coordinator.
- **Judge Michael McLaughlin**, 4th district judge of the Ada County Mental Health Court, was awarded the Marie D. Hoff Social Justice Achievement Award, which recognizes a person or organization that seeks to transform social structures that perpetuate injustice and poverty.
- Fourth District **Judge Ron Wilper** was recognized with a national media award at the National Association of Drug Court Professionals. The award was given for developing a public service announcement in support of drug courts in Idaho.

Statewide Caseload Highlights: Complexity of Court Cases Remains High

- 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.
- Domestic relations cases also leveled off after seeing a gradual increase of 10% over the past five years.
- District Court criminal filings increased by 20%. Misdemeanor cases, on the other hand, continue to decline; they were down 7% in and have decreased a total of 12% over the past five years.
- Juvenile felony filings were up 9% this year.