

# THE IDAHO JUDICIARY



## FY2012 Annual Report



## *Message from the Chief Justice*



*Chief Justice Roger S. Burdick*

In my 31 years on the bench, I cannot remember a more exciting, vibrant time for the Idaho Judiciary. There are so many inspiring and innovative developments currently unfolding in the Idaho courts. I will mention just a few of them.

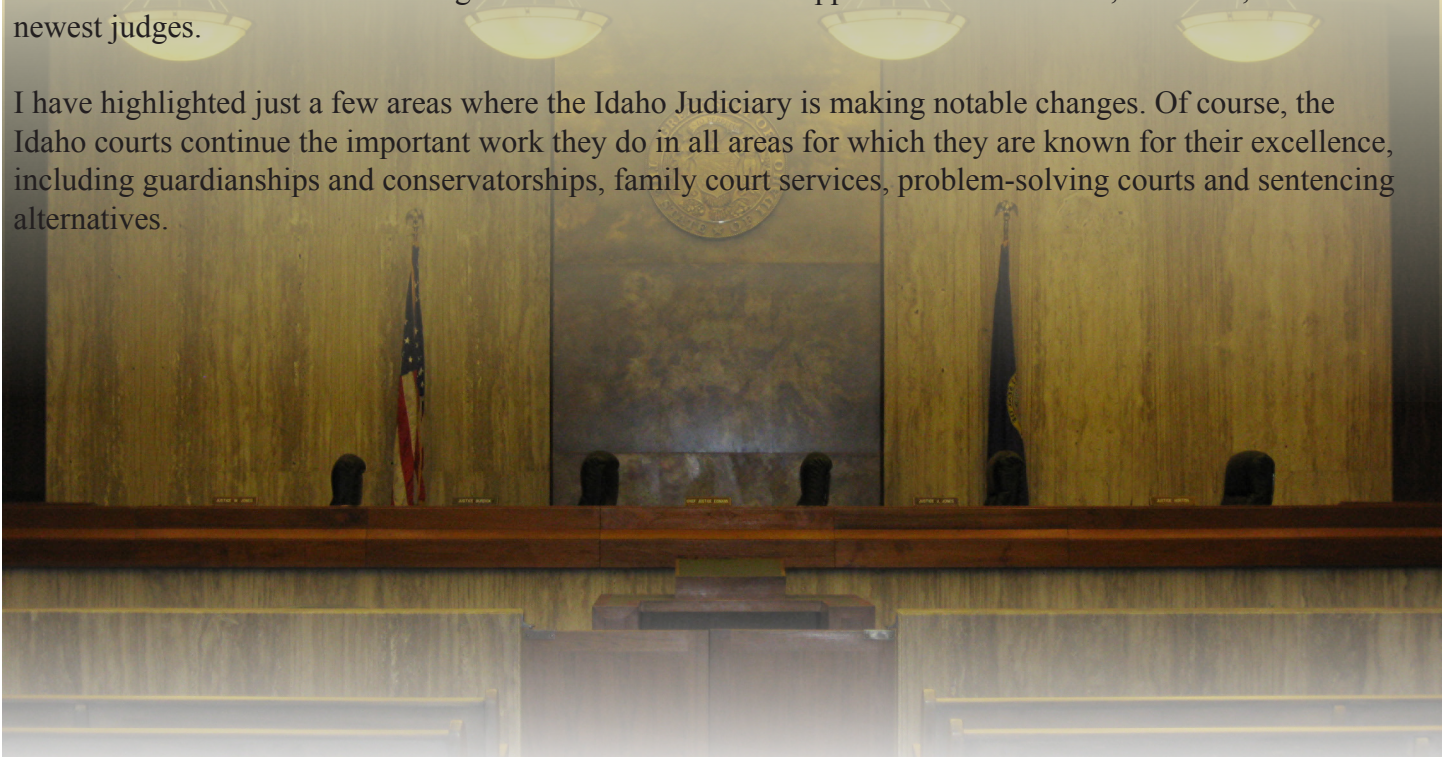
First, in the area of technology, I want to share with you the Court's vision for the future. Idahoans will be able to file court cases online 24 hours per day, 7 days per week. They will be able to pay traffic tickets, learn when a particular case is scheduled for hearing, and access and view all documents filed in every case, all online, without visiting the courthouse. As the Judiciary continues to move toward "e-everything" in the area of court technology, Idahoans can expect better access, greater convenience, and more complete transparency.

Also in the area of technology, on August 20th, 2012, the Idaho Supreme Court in conjunction with Idaho Public Television, began live streaming all oral arguments from our courtroom in Boise. Hearings can be accessed on Idaho Public Television's website under Idaho Live.

Advancing Justice denotes another very exciting and innovative effort on the part of the Judiciary. Chaired by Senior Judge Barry Wood, the newly formed Advancing Justice Committee is charged with identifying and addressing unnecessary sources of delay in case processing to help ensure that Idaho courts are delivering timely, fair, and impartial justice. Tasks underway include a review of court rules and statutes to identify barriers to timely case resolution and a critical assessment of Idaho's time standards for case processing.

Tremendous progress has been made in the area of judicial retention and recruitment. Working with the Judicial Council and the Idaho State Bar, the Court has revised the bar surveys used for judicial selection to improve the quality of information available. In addition, Court of Appeals Judges Gutierrez and Lansing have traveled to judicial districts to meet with prospective applicants and answer their questions. Largely as the result of these efforts, after the consecutive appointment of 35 men to the bench, in the last three years, Governor Otter and the district magistrate commissions have appointed seven women, out of 16, as our newest judges.

I have highlighted just a few areas where the Idaho Judiciary is making notable changes. Of course, the Idaho courts continue the important work they do in all areas for which they are known for their excellence, including guardianships and conservatorships, family court services, problem-solving courts and sentencing alternatives.



# 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 | Fairness | Independence | Respect | Excellence | Innovation

## STRATEGIC GOALS AND MAJOR OBJECTIVES OF THE IDAHO COURTS

### **I. To 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.

*-Adoped by the Supreme Court on October 31, 2011*



**The administration of  
justice is the firmest  
pillar of government.**

**~George Washington**



## *Innovations in Court Technology Promote Access to Justice*

A major objective of the Idaho courts is to provide access to justice through enhancing the ability to efficiently conduct court business by developing technologies, especially electronic filing of all court documents. The Court promotes effective, innovative services and has a vision for how technology will be used in the future to ensure the timely, fair resolution of cases.

As a part of that vision, future plans include allowing Idaho court users to complete much of their court business in real time, online, 24/7 without going to the courthouse. This will include the ability to file court cases, pay traffic tickets, find out when a case is scheduled for hearing, and view documents filed in a case. Records will be kept electronically; no lost or missing files or papers; no threat of floods, fires or deterioration of court records.

These are just some of the improvements you will see in the Idaho court system – better access, greater convenience, and more information.

### SUPREME COURT COMMISSIONS AN ASSESSMENT OF ITS STATE OF TECHNOLOGY

Idaho's persistent growth and ever increasing caseloads continue to push the Court's need for the most cutting edge technology, to ensure the timely, fair resolution of cases. In May 2012, the Supreme Court commissioned national experts to conduct an assessment of its information technology (IT) program. The Court embraced a number of the recommendations made by the national experts, including the following:

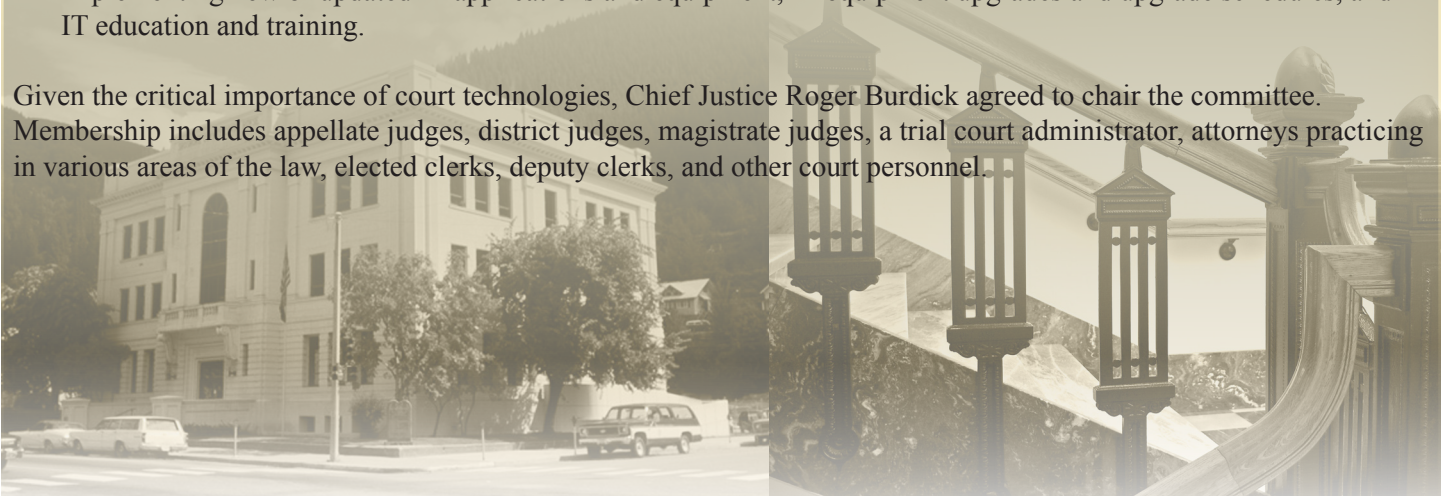
- Convert to ISTARs Enterprise (a new, browser-based generation of ISTARs, the Idaho Statewide Automated Records System) as quickly as possible.
- Develop a comprehensive e-filing business model, and necessary technical, fiscal, operational, and legal policies.
- Develop a statewide redundant high bandwidth telecommunications network capable of supporting as fully centralized as possible the Enterprise implementation and statewide telepresence (video conferencing technology).
- Develop a strategy for bench automation and judicial involvement in case management process planning.
- Develop and maintain a comprehensive data sharing strategy with state and county justice partners.

### APPOINTMENT OF STANDING COMMITTEE ON COURT TECHNOLOGY

Following the assessment, the Idaho Supreme Court appointed a Court Technology Committee to:

1. Provide executive direction for the Idaho Courts Information Technology systems;
2. Develop and maintain an Idaho courts IT strategic plan;
3. Develop and maintain Idaho IT policies, including: applicability of national information technology standards; Idaho IT enterprise architecture; privacy and access; security; and data quality; and
4. Make operational decisions concerning the Idaho Courts IT program, such as sequencing and funding of IT projects, selection of IT products and applications for purchase or development, priority of Idaho Courts for receiving and implementing new or updated IT applications and equipment, IT equipment upgrades and upgrade schedules, and IT education and training.

Given the critical importance of court technologies, Chief Justice Roger Burdick agreed to chair the committee. Membership includes appellate judges, district judges, magistrate judges, a trial court administrator, attorneys practicing in various areas of the law, elected clerks, deputy clerks, and other court personnel.



## SUPREME COURT BEGINS LIVE STREAMING OF ORAL ARGUMENTS

In August 2012, the Idaho Supreme Court began live streaming oral arguments from the courtroom in Boise. In conjunction with Idaho Public Television, a live video webcast is available at [www.idahoptv.org/leglive/](http://www.idahoptv.org/leglive/). “As with any public outreach program the goal of the Idaho Judiciary is to provide more transparent public access, outreach and inclusion for all the citizens of Idaho and to enhance the public’s understanding of Idaho’s third branch of government,” said Chief Justice Roger Burdick.

## THE IDAHO JUDICIARY LAUNCHES A NEW WEBSITE

In May 2012, the Idaho Judiciary launched a new website, pairing a warm and welcoming aesthetic appeal, with a more intuitive navigation structure and a greater organization overall of content. The website features a personalized, yet parallel look and feel for each of the court services pages, such as Child Protection, Problem-Solving Courts, etc. It also offers easy access to jury information, court rules, opinions, resources for navigating Appellate Courts, and so on.

## STATEWIDE DIGITAL RECORDING ROLLOUT SOLUTION COMPLETE

FTR or “For the Record” provides each courtroom the ability to record all court sessions, save them digitally where they can be quickly retrieved, as well as easily and securely archived. FTR was originally launched in Bannock County in 2008, and subsequently implemented in 42 counties. In the latter part of 2011 and June of 2012, Ada County and Bonneville County implemented this new system. All Idaho courthouses are now using the same digital recording solution.

## STATEWIDE HARDWARE UPGRADE COMPLETE

A statewide refresh of over 1,300 desktop and 65 notebook computers, along with 48 servers, over 500 printers and the newest software was completed in July 2012. This equipment will facilitate future technology advances, including the new ISTARs Enterprise case management system.

## THE JUDICIARY CONTINUES TO SERVE THE PUBLIC USING PROVEN TECHNOLOGIES

In addition to these new developments in court technology, the Idaho Courts continue to use and enhance a number of established technological services, including:

- **CourtPay:** an online payment service that allows users to pay their fines, fees, and restitution using a debit or credit card.
- **E-citations:** Currently, all 44 county courts in Idaho receive some citations electronically, with plans to expand this service as law enforcement agencies move away from paper ticketing.
- **Victim Information and Notification Everyday (VINE):** Victims of crime can receive telephone and email notification regarding the custody status of an offender and court hearing dates.



*Shoshone County Courthouse*

## *Court Highlights for Fiscal Year 2012*

### HIGHLIGHTS FROM CHILDREN & FAMILY SERVICES

- A recent evaluation of Idaho child protection drug courts (CPDCs) show promising results: CPDC families have higher rates of successful reunifications, shorter out-of-home placements, and are less likely to have reports of maltreatment after case closure than families who do not participate in CPDC.
- There was a 10% increase this year in the number of Guardian ad litem volunteers who serve abused and neglected children in the court system, bringing the number to 575. These volunteers donated 29,782 hours of their time to investigate, report, and advocate for the 2,756 Idaho children in foster care.
- Family Court Services responded to nearly 72,000 requests for services—an 8% increase over last year and an increase of over 100% from five years ago.
- Nearly 260 contested child custody cases were ordered to a parenting assessment, a 46% increase over last year. Assessments provide the court and the family with information about critical issues such as family structure, mental health, substance abuse, and family violence.
- The Center for Court Innovation facilitated a national site visit to Ada and Canyon County Domestic Violence Courts. The Center for Court Innovation assists courts with the planning and operation of Domestic Violence Courts both in the United States and around the world.
- The Idaho Supreme Court Guardianship and Conservatorship Committee welcomed the Honorable Christopher Bieter as their new chair. Judge Bieter bring years of experience and leadership in the area of guardianships and conservatorships.
- More than 1,300 newly appointed guardians and conservators completed a mandatory training course based on standards of practice applicable to Idaho.
- Requests for Court Assistance services exceeded 50,000 for the third consecutive year. A new Court Assistance website was developed and launched in April to help meet the demand for services and facilitate access to forms and court information.





## *Court Highlights for Fiscal Year 2012*

### HIGHLIGHTS FROM PROBLEM-SOLVING COURTS AND SENTENCING ALTERNATIVES

- Ada County, Canyon County, and Bannock County accepted offenders into their veterans courts during FY2012. A veterans court deals with an individual, most frequently having co-occurring mental and substance use disorders and experiencing post-traumatic stress disorder resulting from combat service in one of our country's armed forces.
- Thirty-five babies were born to clean and sober women in our drug and mental health courts this year, bringing the total to 283 drug-free births.
- Idaho Peace Officer Standards and Training (POST) graduated Adult Misdemeanor Probation Academy Class #4, bringing the total number of misdemeanor probation officers completing POST to 70.
- Nearly 2,300 supervised misdemeanants received services through Access to Recovery III (ATR) in 2012. ATR is a federally funded grant to provide substance abuse services to specific client populations that otherwise would not be funded.
- HB 648 was passed, which will enhance the pre-sentence investigation process by improving screening for substance use disorders and serious mental health diagnoses for felony offenders who may remain in the community following sentencing.
- The Juvenile Justice Advisory Team is working with justice partners to improve legal representation for juvenile offenders and to improve the flow of cases through the juvenile justice system.
- Youth courts and status offender programs served 1,144 youth and their families. In addition, adult and youth volunteers contributed 5,193 hours to help with these programs.

### OTHER COURT HIGHLIGHTS

- The Idaho Supreme Court appointed a standing committee on Advancing Justice to further the Judiciary's goal of providing timely, fair, and impartial case resolution. The Committee is tasked with identifying and addressing sources of unnecessary delay in case processing through rule/statutory changes, enhanced training and education for judges and other court staff, and the implementation of effective case management practices.
- Idaho's senior judges continue to fill the gap during economically challenging times. Senior judges worked a total of 2,299 days in FY2012, the equivalent of more than ten additional judgeships.
- Court interpreters were needed for over 42 different languages in FY2012. Statewide costs for interpreter services have now reached three-quarters of a million dollars.



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

**~ Thomas Jefferson**

## *Highlights from Idaho's Judicial Districts*

### 1ST JUDICIAL DISTRICT

- The tax intercept program brought in \$16,879 in overdue fines and fees to Benewah County.
- Jay Q. Sturgell was hired as the new court assistance officer for the 1st District.
- Of the 662 parents that attended the Focus on the Children Class in the 1st District, 97% provided positive feedback on the class.
- The Shoshone County Drug Court had their first graduation in January.

### 2ND JUDICIAL DISTRICT

- Nez Perce County and Clearwater County Drug Courts continue to operate at full capacity and continue to serve the highest risk clients.
- Latah County recently began a mental health court, accepting their first offender in June 2012.
- The family reunification court located in Nez Perce County recently benefitted from the Regional Partnership Grant, providing additional services to clients not ordinarily available.
- Family Court Services saw a 55% increase in referrals, prompting them to recruit and train additional staff to assist families through what is a very difficult process.
- At the end of the fiscal year, the juvenile probation department had not committed a juvenile to the State's custody for six months, demonstrating the officers' diligence in supervision and their utilization of probation terms geared at reducing a juvenile's risk to re-offend.

### 3RD JUDICIAL DISTRICT

- A veterans treatment court began operations in Canyon County in March, 2012.
- The garden project at the Southwest Idaho Juvenile Detention Center donated approximately 1500 pounds of fresh produce to various charitable organizations in Canyon County.
- A Criminal Justice Planning Council was formed in Canyon County and has been meeting on a monthly basis since February, 2011.
- Video conferencing equipment was installed in courthouses throughout the district to reduce the need to transport juveniles from the district's juvenile detention center to various courthouses in the district.
- Various recommendations from an expert's audit of court interpreter services in Canyon County were implemented to improve the delivery of those services.

### 4TH JUDICIAL DISTRICT

- The Ada County district court installed digital recording software in 27 courtrooms at the Ada County courthouse and three courtrooms at juvenile court. The recordings serve as the official record in magistrate court.
- The 4th District trial court administrator and Ada County sheriff collaborated with a private vendor to install an upgrade to the video arraignment system at the Ada County jail and two courtrooms at the Ada County courthouse.
- The Ada County guardianship monitoring office developed a process to identify and schedule delinquent guardianship/conservatorship cases before a judge in order to increase mandatory reporting compliance.





#### 4TH JUDICIAL DISTRICT (CONTINUED)

- The Ada County jury commissioner located for rescheduling 87% of prospective jurors who did not respond to the jury summons or who failed to appear for jury service.
- The Ada County district court fully implemented the first veterans treatment court in the state of Idaho.
- The Fourth District Court provided interpreters for 42 different languages covering a minimum of 3,259 hearings across the district.
- Between the counties of Ada, Valley, Boise and Elmore, 2,993 parents attended Focus on the Children classes.

#### 5TH JUDICIAL DISTRICT

- Twin Falls County renovated both district courtrooms and added new technology bringing both courtrooms up-to-date.
- A domestic violence court was implemented in Cassia County with Hon. Rick Bollar serving as the presiding judge.
- Fifth judicial district problem-solving courts hosted the annual judge/legislator summer barbecue in Rock Creek Canyon. A great meal was served to the 50 plus in attendance.
- Twin Falls County designed and renovated a wing of the Snake River Youth Center to house the juvenile court, judge's chambers, clerk's office, prosecutor and public defender for the juvenile court program.
- Cassia County purchased a building, having begun plans to remodel it into a new judicial facility.

#### 6TH JUDICIAL DISTRICT

- A new veterans treatment court was established in Bannock County. It was filled to capacity with six participants in less than three months.
- The truancy court program in Bannock County has worked collaboratively with the school district to increase high school graduation rates by 10%, bringing the overall graduation rate up to 94%.
- The domestic violence court team provided resources and assistance to about 450 victims of domestic violence in civil and criminal cases.
- The Caribou County courthouse was remodeled to add a new judge's chambers and a second courtroom/commissioner's hearing room as well as additional security measures to limit access to court personnel.

#### 7TH JUDICIAL DISTRICT

- In all 10 counties, courthouses and courtrooms can be connected to each other by video conferencing to conduct court hearings and meetings, including county jails, detention facilities and mental health hospitals.
- A pilot problem-solving court Young Adult Court with Judge Steve Gardner presiding has been implemented, and within four months the court exceeded 30 participants.
- Jefferson County hosted a three-day deputy clerk training for the 6th and 7th Districts. A wide variety of topics were covered, including processing requirements for mental commitment and guardianship/conservatorship cases, appellate case processing, electronic reporting to the Idaho Transportation Department, and the Victim Information and Notification Everyday (VINE) system.
- The former County Commissioners' meeting room was renovated into a new courtroom in the Bonneville County Courthouse.



*Fremont County Courthouse*

## *Recognition, Awards, & New Developments*

### HON. JON SHINDURLING AND HON. JUNEAL KERRICK RECEIVE TOP JUDICIAL HONORS

Seventh District Judge Jon Shindurling was presented the 2011 Kramer Award and 3rd District Judge Juneal Kerrick was presented the 2011 Granata Award at the 2011 Judicial Conference in Boise. Both awards are given annually to recipients who have made significant contributions to the Idaho Judicial System.

### JOHN PEAY RETIRES AFTER MORE THAN 25 YEARS OF SERVICE

John Peay, Director of District Court Services and Information Systems, retired in January of 2012, after 26 years of service to the Idaho courts. John's accomplishments while with the Idaho Courts were many and were very celebrated; among them was the launching of ISTARS, the first statewide case management system in the nation. John was awarded the Kramer Award for excellence in judicial administration in 1995.

### HON. MICHAEL DENNARD & HON. JOHN VARIN ACCEPT NEW ROLES AT THE ADMINISTRATIVE OFFICE

Given the hiring freeze, Senior Judge Michael Dennard became the Interim Director of Court Services for Families and Children. With Norma Jaeger's retirement, Senior Judge John Varin was selected to be the Interim Director of Problem-Solving Courts and Sentencing Alternatives. Norma continues to serve the Idaho Judiciary on a part-time basis in the area of problem-solving courts and sentencing alternatives.

### IDAHO SUPREME COURT LAUNCHES NEW WEBSITE

The Idaho Supreme Court launched its new website on May 1, 2012. The site is simple to navigate and is designed to provide greater accessibility to court services, records, rules, and other court-related information.

### HON. JUNEAL KERRICK AND HON. RICK BOLLAR TAPPED FOR NATIONAL LEADERSHIP INITIATIVE

District Judge Juneal Kerrick of the 3rd Judicial District and Magistrate Judge Rick Bollar of the 5th Judicial District participated in a national two-year judicial leadership initiative after being identified as "justice system leaders of tomorrow." They joined 43 other judges nationwide at the National Judicial College's first ever "Innovative Leadership/Management Skills for Future Court Leaders Program" in Reno, Nevada.

### NORMA JAEGER HONORED BY THE IDAHO STATE PLANNING COUNCIL ON MENTAL HEALTH, ADA COUNTY MENTAL HEALTH COURT, IDAHO DEPARTMENT OF CORRECTION

Drug and Mental Health Court Coordinator, Norma Jaeger, was honored by the Idaho State Planning Council on Mental Health during a ceremony at the Idaho State Capitol on January 11, 2012. Norma was recognized for her dedication in helping improve the lives and families of people living with mental illness.

In addition, Norma was presented with the Ada County Mental Health Court Founder's Award, which recognizes "individuals, programs, or organizations that further the goals of reducing recidivism, increasing community safety, and improving the mental health and productivity of participants."

In recognition of her service, Norma was presented with the "Black Hat Award" by Idaho Department of Corrections Director Brent Reinke.



### THE IDAHO SUPREME COURT CELEBRATES NATIONAL ADOPTION DAY

The Idaho Supreme Court celebrated National Adoption Day for the second year in November 2011. Judges Carolyn Minder, Cathleen Macgregor-Irby, and Lynne Krogh together completed seventeen adoptions in the main courtroom of the Idaho Supreme Court Building. National Adoption Day has been set aside to recognize the importance of giving children permanent, safe, and loving homes.

### HON. CLARK PETERSON RECEIVES JUDICIAL EXCELLENCE AWARD

Kootenai County Magistrate Judge Clark Peterson was awarded the 2012 Judicial Excellence Award by the Idaho Association of Criminal Defense Lawyers.

### MICHAEL STARNES AWARDED THE CHILDREN'S ADVOCATE AND PROTECTOR (CAP) AWARD

Judge Bryan Murray, Chair of the Child Protection Committee, presented Michael Starnes with the CAP Award during the 2012 Children and Families Institute held in Boise. Mike has served neglected and abused children for over 25 years and currently works at the Department of Health and Welfare in Region 1.

### 2ND ANNUAL NO FORGOTTEN CHILDREN EVENT

The No Forgotten Children Event, which honors guardian ad litem volunteers and increases community awareness about child abuse and neglect, was held in Pocatello on September 9, 2011. The event culminated in an awards ceremony honoring the more than 450 volunteers that serve abused and neglected children in Idaho.

### HON. DAVID MANWEILLER APPOINTED TO NATIONAL COMMITTEE

Ada County Magistrate Judge David Manweiller was appointed to the National Council of Juvenile and Family Court Judges Juvenile and Family Law National Committee. The committee is involved in formulating resolutions, policy, networking, education and training on juvenile and family law.

### ADA CO. VETERANS TREATMENT COURT HOSTS A RIBBON CUTTING

The Ada County Veteran's Treatment Court hosted a ribbon cutting on Veterans Day, November 11th, for their Veterans Treatment Court. The Court, which began operating in July of 2011, was the first in the state. Justice Daniel Eismann, Judge Timothy Hansen, and Norma Jaeger spoke at the event.

### TERRI KONDEFF ACCEPTS NEW POSITION WITH THE LEGISLATIVE SERVICES OFFICE

Terri Kondeff left the Idaho Supreme Court in April of 2012 to accept the position of Fiscal/Human Resource Operations Manager with the Legislative Services Office. Terri was a tremendous asset to the Court's Financial Office for seven years and will be missed.

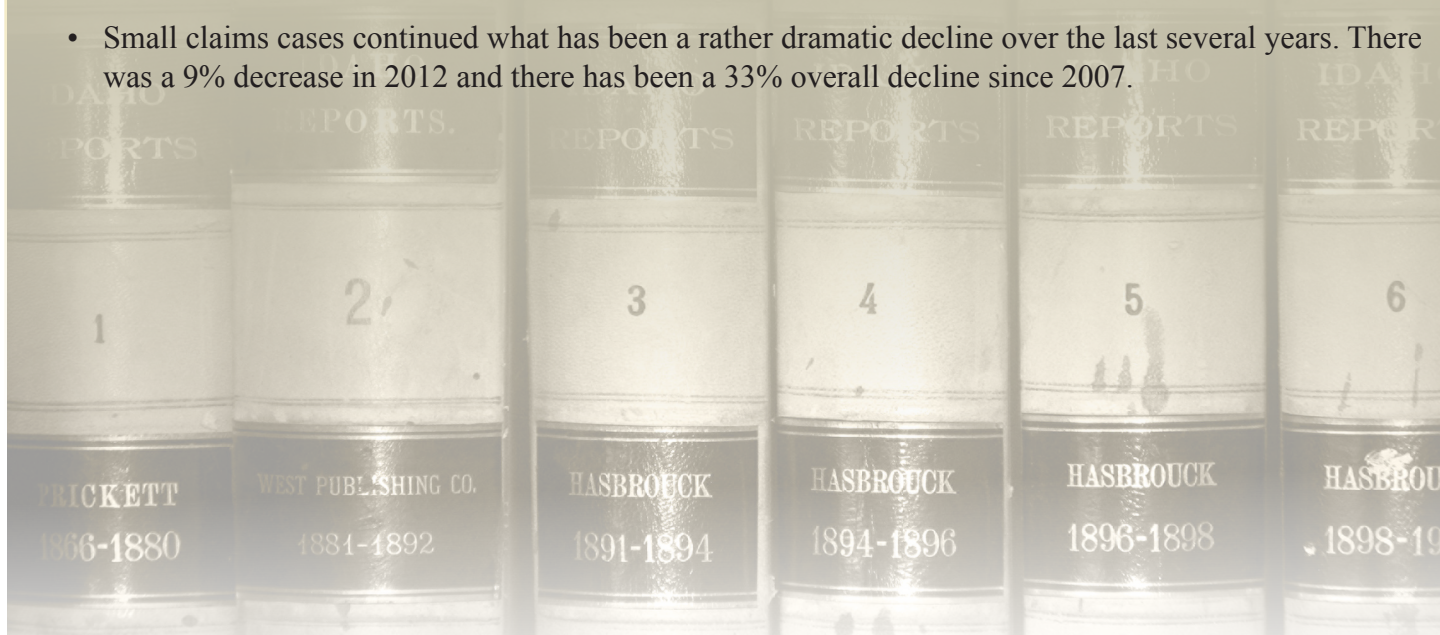


**Justice denied  
anywhere diminishes  
justice everywhere.**  
**~Martin Luther King, Jr.**



## *Statewide Caseloads Begin to Level Off, Gradually Decline*

- A total of 1,047 appeals were filed with the Idaho Supreme Court in FY2012. While there was a 10% increase in criminal appeals, civil appeals were down 15% from last year.
- Overall, trial court caseloads decreased slightly in FY2012. District court caseloads were down 5%, though they remain 8% higher than they were five years ago. Magistrate division caseloads were down 3% and have been steadily declining over the past few years.
- District court civil filings continue to level off following a dramatic increase in 2009 and 2010. There was a 3% reduction in filings this year, though caseloads still remain 19% higher than they were five years ago.
- Although there was a 15% decline in felony DUI cases over last year, filings remain substantially higher (68%) than they were five years ago. Misdemeanor DUIs, on the other hand, continued to decline as they have the last few years; they were down 14% from 2011.
- Unlike most other magistrate division case types, mental commitment cases have seen a significant increase in recent years. They rose by 9% this year and have increased by a remarkable 111% since 2007.
- Misdemeanor filings overall continue to decrease gradually. There was a 3% decrease from last year and a 15% decrease since 2007.
- Child protection cases continue to decline at a steady pace. There has been a 25% reduction in filings over the past five years and 2012 filings were down 8% from the previous year.
- There was a 10% decrease in guardianship/conservatorship cases and a 38% decrease in conservatorship cases (without a guardianship) in 2012. Guardianship cases (without a conservatorship), on the other hand, were up slightly by 3%.
- Civil protection order cases were down 6% this year and have decreased by 9% over the past five years.
- Small claims cases continued what has been a rather dramatic decline over the last several years. There was a 9% decrease in 2012 and there has been a 33% overall decline since 2007.

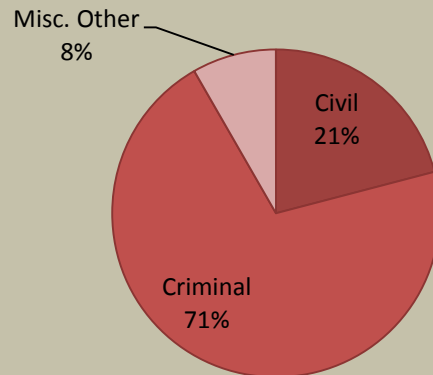


## Statewide Caseload Trends

### APPELLATE COURT CASES FILED

	*CY2010	FY2011	FY2012
<b>Civil</b>	228	259	219
<b>Criminal</b>	760	675	741
<b>Misc. Other</b>	117	83	87
<b>Total</b>	<b>1,105</b>	<b>1,017</b>	<b>1,047</b>
*Switched to fiscal year reporting in 2011			

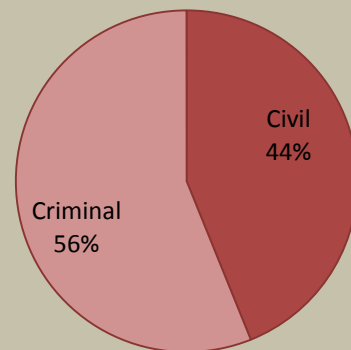
### FY12 Appellate Caseloads



### DISTRICT COURT CASES FILED

	FY2010	FY2011	FY2012
<b>Civil</b>	10,119	9,721	9,425
<b>Criminal</b>	10,734	12,875	12,159
<b>Total</b>	<b>20,853</b>	<b>22,596</b>	<b>21,584</b>

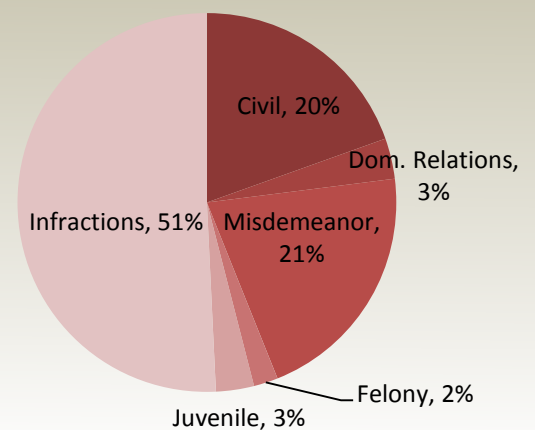
### FY12 District Court Caseloads



### MAGISTRATE DIVISION CASES FILED

	FY2010	FY2011	FY2012
<b>Civil</b>	84,470	84,441	81,061
<b>Dom. Relations</b>	14,712	14,813	14,296
<b>Misdemeanor</b>	96,734	89,889	86,894
<b>Felony</b>	8,993	8,735	8,522
<b>Juvenile</b>	13,200	13,713	13,495
<b>Infractions</b>	227,921	221,375	210,550
<b>Total</b>	<b>446,030</b>	<b>432,966</b>	<b>414,908</b>

### FY12 Magistrate Div. Caseload



<b>Total District &amp; Magistrate</b>	<b>466,883</b>	<b>455,562</b>	<b>436,382</b>
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## *Update on Performance Measures*

In 2009, the Idaho Supreme Court adopted nine court performance measures developed by the National Center for State Courts and ordered that they be “established, monitored, and published regularly.” Five of the nine measures have been implemented—clearance rates, time to disposition, age of active 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. The Idaho courts met this goal for all ten reported case types in FY2012.

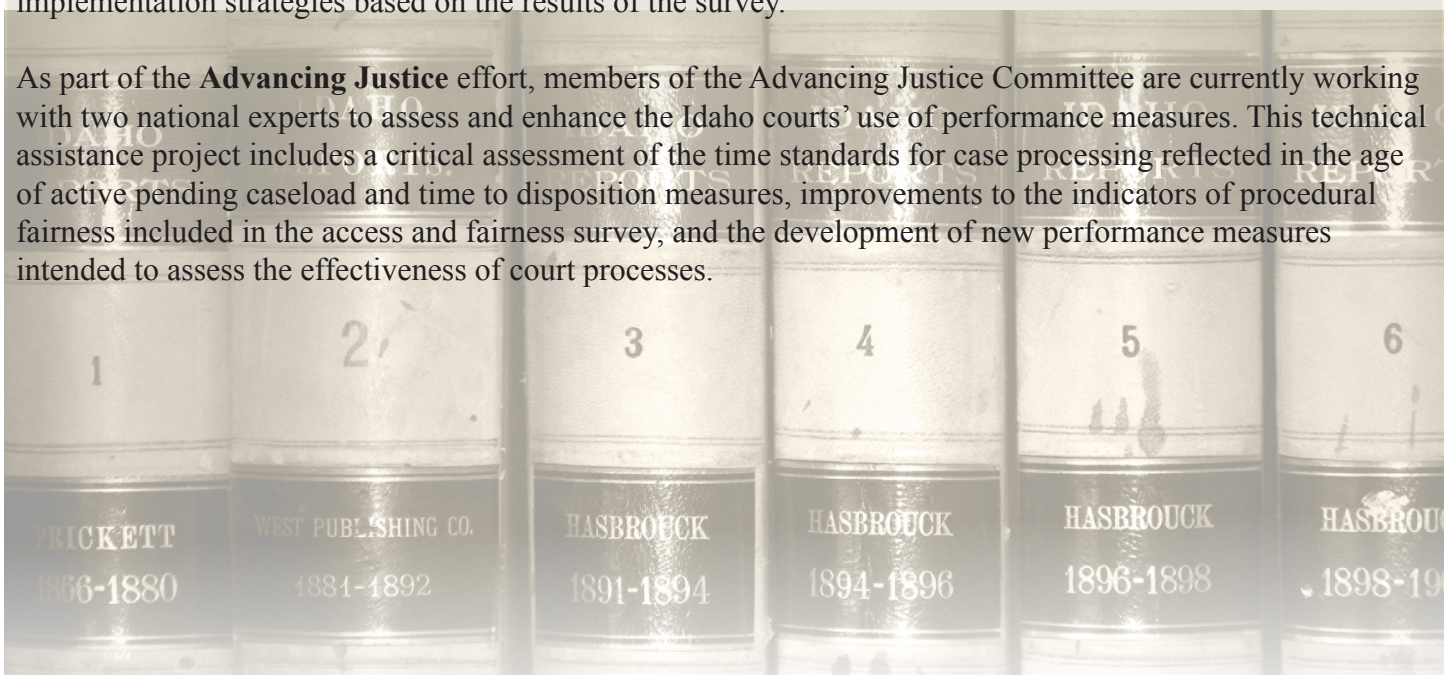
**Age of Active Pending Caseload** refers to the age of active cases, cases that have not yet been disposed. This measure is used to compare actual caseloads against benchmarks; Idaho courts strive to meet the standard in 90% of cases. As of June of 2012, more than 80% of active pending cases met established time standards for eight of ten reported 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. In FY2012 at least 80% of cases met the established time standard for eight of ten case types which are reported.

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, 5th, 6th, and 7th Judicial Districts—a total of 29 counties. The survey will be administered in the three remaining Judicial Districts by the end of 2012. To date, feedback from court users has been very positive overall, particularly as it relates to court accessibility.

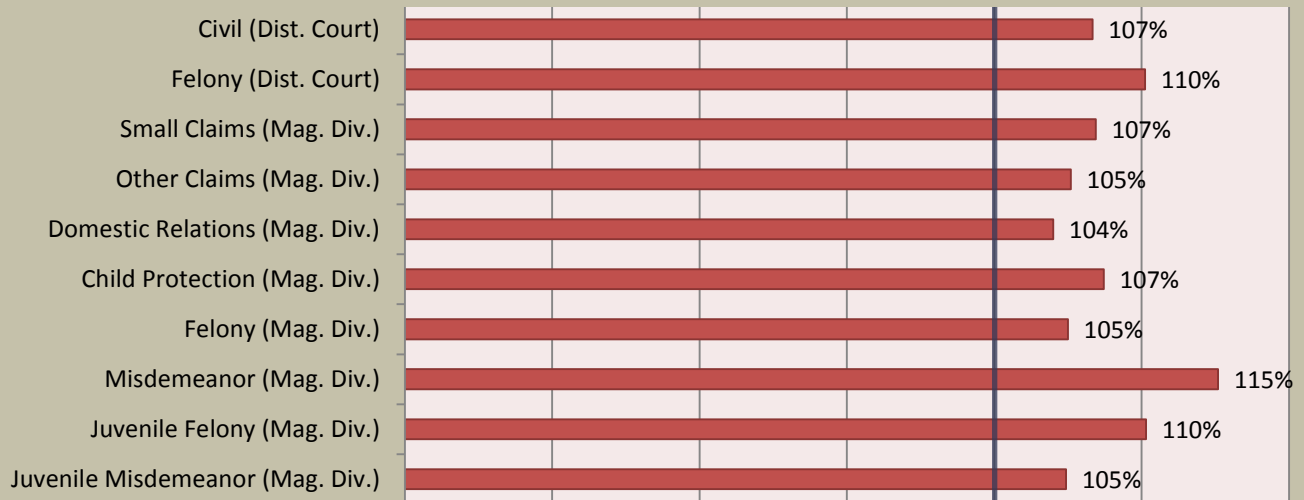
The **Employee Satisfaction** survey is designed to assess the quality of the work environment within the Judiciary and to facilitate positive organizational change and development. The results of the Judiciary’s first employee satisfaction survey, administered in 2010, were very positive overall. An implementation team, made up of court employees working in a variety of areas, is currently developing recommendations and implementation strategies based on the results of the survey.

As part of the **Advancing Justice** effort, members of the Advancing Justice Committee are currently working with two national experts to assess and enhance the Idaho courts’ use of performance measures. This technical assistance project includes a critical assessment of the time standards for case processing reflected in the age of active pending caseload and time to disposition measures, improvements to the indicators of procedural fairness included in the access and fairness survey, and the development of new performance measures intended to assess the effectiveness of court processes.

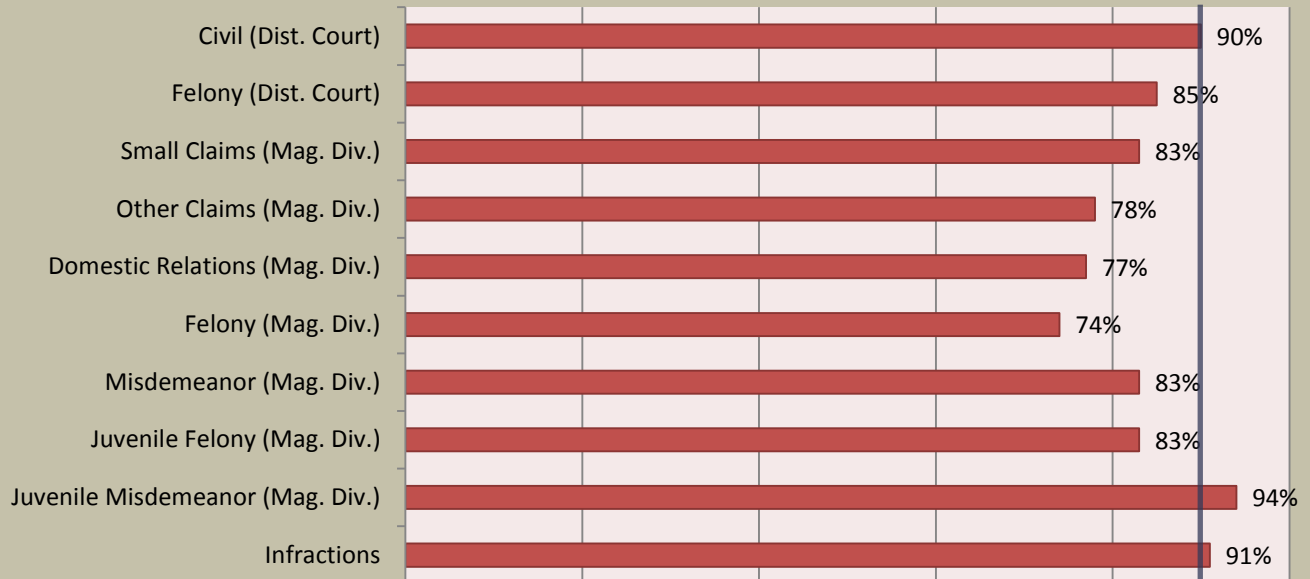




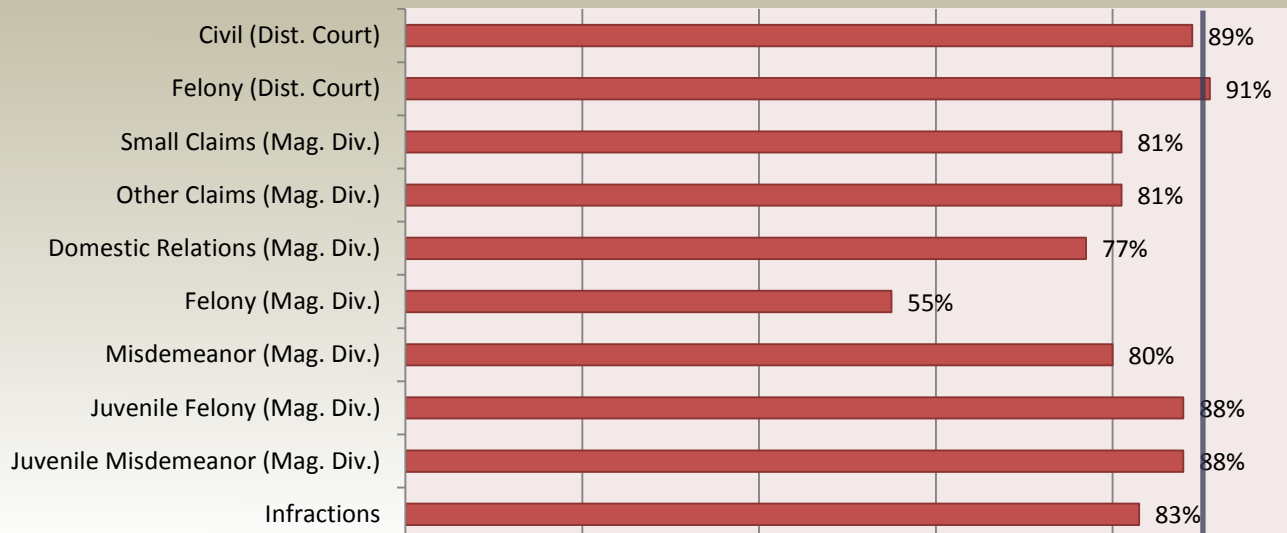
### STATEWIDE CLEARANCE RATES FOR FY12



### STATEWIDE PERCENTAGE OF DISPOSED CASES MEETING TIME STANDARDS FOR FY12



### STATEWIDE PERCENTAGE OF PENDING CASES MEETING TIME STANDARDS AS OF JUNE 30, 2012



## *FY2012 Changes within the Judiciary*

### 1ST JUDICIAL DISTRICT

– no changes

### 2ND JUDICIAL DISTRICT

– no changes

### 3RD JUDICIAL DISTRICT

Honorable Molly Huskey  
District Judge, January 2012

Honorable Jayme Sullivan  
Magistrate Judge, Canyon County, July 2012

Adams County Position held vacant,  
per Budget Holdback Policy

Honorable Gregory Culet  
District Judge, Retired December 2011

Honorable Robert Taisey  
Magistrate Judge, Canyon County, Retired July 2012

Honorable James Peart  
Magistrate Judge, Adams County, Retired December 2010\*

### 4TH JUDICIAL DISTRICT

Honorable Lynn Norton  
District Judge, October 2011

Honorable Melissa Moody  
District Judge, July 2012

Honorable Monte Berez  
Magistrate Judge, Valley County, April 2012

Honorable Lynnette McHenry  
Magistrate Judge, Ada County, July 2012

Honorable Darla Williamson  
District Judge, Retired September 2011

Honorable Michael McLaughlin  
District Judge, Retired June 2012

Honorable Hank Boomer  
Magistrate Judge, Valley County, Retired December 2011

Honorable Monte Berez  
Magistrate Judge, Ada County, Became Magistrate Judge  
in Valley County, April 2012

### 5TH JUDICIAL DISTRICT

Honorable Rick Bollar  
Magistrate Judge, Minidoka County, July 2012

Honorable Blaine Cannon  
Magistrate Judge, Cassia County, September 2012

Honorable Calvin Campbell  
Magistrate Judge, Twin Falls, September 2012

Honorable Larry Duff  
Magistrate Judge, Minidoka County, Retired June 2012

Honorable Rick Bollar  
Magistrate Judge, Cassia County,  
Became Magistrate Judge in Minidoka County, July 2012

Honorable Nicole Cannon  
Magistrate Judge, Twin Falls, Resigned June 2012

### 6TH JUDICIAL DISTRICT

Honorable R. Todd Garbett  
Magistrate Judge, Bear Lake County, September 2012

Honorable O. Lynne Brower  
Magistrate Judge, Bear Lake County, Retired March 2010\*

### 7TH JUDICIAL DISTRICT

Honorable Gilman Jay Gardner  
Magistrate Judge, Fremont County, January 2013

Honorable Michelle Fay Mallard  
Magistrate Judge, Bonneville County, January 2012

Honorable Keith Walker  
Magistrate Judge, Fremont County, Retired December 2010\*

Honorable Earl Blower  
Magistrate Judge, Bonneville County, Retired January 2012

\* Position held vacant due to budget constraints

# *Annual Report of the Idaho Supreme Court*

## SUPREME COURT

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

## CONTRIBUTING TO THE REPORT

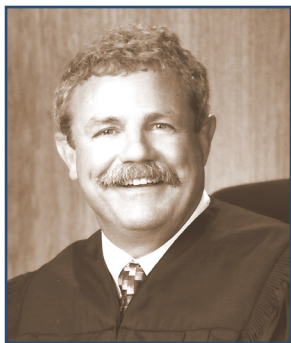
Patricia Tobias - Administrative Director of the Courts  
Hon. Barry Wood - Senior District Judge  
Taunya Jones - Planning and Research Manager  
Shirley Throop - Executive Assistant  
Camille Nelson - Technical Writer/Information Design

## PHOTO CREDITS

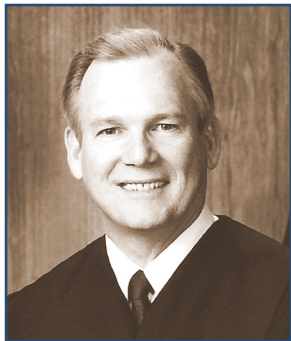
Center image of cover by Hon. Justice Wayne Kidwell; image on page 2 by Camille Nelson; images on pages 14 by Hon. Michael Dennard. The Idaho Heritage Trust has significantly contributed to this publication by providing courthouse images by photographer Jan Boles.

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.

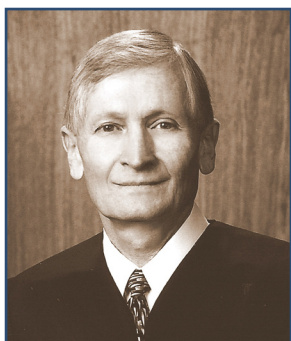
One of the decisions made by the Idaho Heritage Trust's Board of Trustees is to document the historic buildings of Idaho in our time as a gift for the coming generations. This year, in addition to photographing Trust projects throughout Idaho, the Idaho Heritage Trust has asked photographer Jan Boles 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.



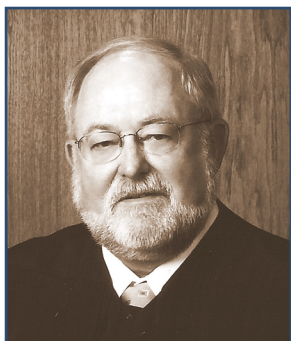
Chief Justice Roger S. Burdick



Justice Daniel T. Eismann



Justice Jim Jones



Justice Warren E. Jones



Justice Joel D. Horton