



Report to Governor
C.L. "Butch" Otter
and the 1st Regular
Session of the 63rd
Idaho Legislature

Senior Judges

An Essential Resource for the Idaho Courts

The Legislature first made an appropriation for the senior judge program in FY1999 to fill the gap between existing judicial resources and increasing judicial workloads. Senior judges assist the Idaho courts in achieving their mission to provide access to justice through the timely, fair, and impartial resolution of cases. They provide a cost-effective alternative to new judgeships with maximum flexibility to temporarily allocate resources where needed. In addition to the savings to the General Fund, senior judges provide cost savings to the counties as they do not require new county staff or facilities.

WHAT IS A SENIOR JUDGE?

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 are compensated only for the days that they actually serve and receive 85% of the daily salary of an active judge. Compensation for senior judges is paid from the General Fund. Judges or justices who leave office or retire can apply to the Supreme Court for designation as a senior judge under Idaho Code §1-2221 (magistrate judges) or §1-2005 (justices, Court of Appeals judges, and district judges).

As an alternative to the traditional senior judge service, retired justices, Court of Appeals judges, and district judges have the option of serving as a Plan B senior judges under I.C. §1-2001(2)(b). Plan B senior judges serve for 35 days per year for five years in exchange for increased retirement benefits from the Judges' Retirement Fund and a small contribution towards health benefits during the Plan B service. For judges who take office after July 1, 2012, Plan B requires 60 days of service for five years. These senior judges serve at no compensation cost to the General Fund, aside from travel and per diem expenses.

SENIOR JUDGES HELP THE IDAHO JUDICIARY MEET NEW CHALLENGES

In addition to the challenge of meeting established goals for timely case processing and other case management requirements, judges are faced with increasingly complex case types as the result of federal mandates and nationally accepted best practices for trial courts. Demand on judicial resources grows and more judicial resources are being allocated to handle complex litigation. The emergence of problem-solving courts and other specialized courts has changed the way that courts approach certain types of drug cases, domestic violence cases, and cases involving defendants with mental illness, requiring a greater time commitment from judges presiding over these courts.

Child protection is another area of law that has changed dramatically in the past decade, greatly impacting the workload of magistrate judges as judicial responsibilities in abuse and neglect cases have expanded. In some of Idaho's busiest courts, senior judges have been essential to ensuring that child protection cases are heard within established timelines, guaranteeing more timely permanency for children in foster care.

Idaho Supreme Court
451 W. State St.
PO Box 83720
Boise, ID 83720

P: (208) 334-2246
F: (208) 947-7590
www.isc.idaho.gov



Senior judges provide a dynamic response to increasing demands on the Judiciary. Often times, a senior judge who has an expertise and an interest in specific areas can be assigned to fill a specialized need in a particular jurisdiction. One key advantage of senior judges is that they are a flexible resource, filling in whenever and wherever they are most needed.

SENIOR JUDGES PROVIDE LEADERSHIP IN INNOVATION

Some of the Judiciary's greatest leaders and innovators are senior judges who work on special projects in their area of expertise at the statewide level. A number of senior judges are actively involved in program and policy development in a variety of areas, including the design and implementation of the new case management system and the electronic record, caseload management, children and families, guardianship and conservatorship, judicial education and mentoring new judges, juvenile justice, judicial wellness, legislation of interest to the Judiciary, and problem-solving courts and community sentencing alternatives. As an example, Senior District Judge Darla Williamson and Senior Magistrate Judge Gaylen Box have been leading workgroups of judges to develop consistent business processes and standardize court forms in preparation for the deployment of the new case management system and the electronic record.

SENIOR JUDGE SERVICE IN FY2014

During FY14, senior judges provided coverage for judicial vacancies, provided coverage where caseloads are high and additional assistance was needed to ensure cases were heard timely, heard cases when local judges were disqualified or recused themselves, provided coverage while active judges participated in judicial education programs, and provided calendar coverage for judges on leave. Pursuant to Supreme Court order, and in an effort to stay current on the law, 25 senior judges also participated in judicial education programs. In FY2014:

- 44 senior judges worked a total of 2,116 days in the trial courts
- 7 senior judges worked a total of 175 days in the appellate courts
- 11 Plan B judges each worked 35 Plan B days, and in addition worked a total of 374 days beyond their Plan B days

Senior judges worked a total of 3,050 days in FY2014, which is the equivalent of nearly 14 additional judgeships and translates into a remarkable savings to the citizens of Idaho and to the General Fund.