



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

Idaho Supreme Court
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Idaho Supreme Court

Ensuring Access to Justice Through Timely, Fair,
Impartial Case Resolution

The Supreme Court of Idaho is Idaho's highest state court and its court of review. The Idaho Supreme Court is located in Boise and, by Constitution and by statute, travels at least once every calendar year to Coeur d' Alene, Lewiston, Twin Falls, Pocatello, and Idaho Falls. In conjunction with Idaho Public Television, live video webcasts of Idaho Supreme Court oral arguments (in Boise only) are available at www.idahoptv.org/leglive/. Copies of all opinions issued by the Court are available at <http://www.isc.idaho.gov/appeals-court/opinions>.

Vacancies for Idaho Supreme Court Justices are either filled by appointment by the Governor, who selects from a list of two to four names submitted by the Idaho Judicial Council, or are filled in an open election. Justices then stand for popular election on a non-partisan ballot every six years.

The Idaho Supreme Court has two primary functions: (1) to review decisions made by the Idaho Court of Appeals as well as by Idaho's trial courts, and (2) to adjudicate matters over which it has original jurisdiction, including cases in which the death penalty has been imposed, appeals from the Idaho Industrial Commission, and the Idaho Public Utilities Commission.

All appeals filed are reviewed first by the Supreme Court and then either retained by the Court or assigned to the Court of Appeals. In addition, in Idaho's unified court system, the Supreme Court has general administrative and supervisory authority over all Idaho Courts. Once all parties have submitted their written legal arguments, most appeals are set for oral argument in which the attorneys for the parties present their case. However, a case may be decided on the briefs alone without oral argument. After a case has been submitted for decision, one of the five justices is assigned to draft an opinion which is then circulated among all the justices. Adoption of an opinion requires the vote of three members of the Court. On a given case, some members of the Court may choose to file a specially concurring opinion or dissent. A majority decision determines the law of the case.

IDAHO SUPREME COURT CLERK'S OFFICE: SERVING THE PUBLIC

The Clerk's Office of the Idaho Supreme Court receives, processes, and maintains permanent records of appeals, cases of original jurisdiction and some matters regarding the State Bar. The Clerk's Office is responsible for maintaining the Court's docket, scheduling oral arguments, and publishing the opinions of the Supreme Court and Court of Appeals. Also, the office is the official repository of appellate records for the state, maintaining access to every appellate decision ever issued by the Supreme Court and the Court of Appeals.

OVER 1,000 APPEALS FILED ANNUALLY

A total of 1,062 appeals were filed with the Idaho Supreme Court in FY2014. There was a 1% increase in criminal appeals and civil appeals were up 6% from the prior year. In FY2014 the Court released 128 opinions and ruled on 148 petitions for review and over 2,400 motions. In addition, 36 expedited parental termination appeals were filed in FY2014. Criminal appeals made up approximately 75% of the total filings at the Supreme Court; civil appeals made up approximately 20%, and the remaining cases were agency appeals and other miscellaneous matters.



CHIEF JUSTICE ROGER S. BURDICK

During his legal career, Chief Justice Burdick practiced with a private firm in Twin Falls and also served as a public defender in the Fifth Judicial District and a deputy prosecuting attorney in both Ada County and Jerome County. He was appointed magistrate judge in Jerome County in 1981, serving there until he was appointed district judge in Twin Falls County in 1993. As district judge, he was assigned to preside over the Snake River Basin Adjudication and also served as administrative district judge. Chief Justice Burdick has served as an Idaho Supreme Court Justice since 2003. He began serving a four-year term as Chief Justice of the Court on August 1, 2011.



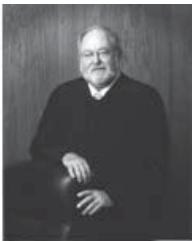
JUSTICE DANIEL T. EISMANN

After practicing law for 10 years, Justice Eismann was appointed magistrate judge in Owyhee County. In 1995, Justice Eismann was appointed district judge in Ada County. As district judge, he worked diligently to establish a drug court in Ada County, which began receiving participants in 1998. He began serving on the Idaho Supreme Court in January, 2001. He served as Chief Justice from August of 2007 to July of 2011. In 2009, Justice Eismann was inducted into the National Association of Drug Court Professionals Stanley M. Goldstein Hall of Fame.



JUSTICE JIM JONES

Justice Jones maintained his own law practice in Jerome from 1973 until 1982, when he was elected as Idaho Attorney General. Following his second term as Attorney General, Justice Jones established a private law practice in Boise, which he maintained until being elected to the Supreme Court in 2004. He was re-elected in 2010. Justice Jones has served on numerous community and government boards and committees and has received several awards in recognition of his service. During his tenure as Idaho Attorney General, he argued three cases before the United States Supreme Court.



JUSTICE WARREN E. JONES

After his second year of law school at the University of Chicago, Justice Jones received a Ford Foundation Fellowship for advanced study in criminal law and procedure at Northwestern University School of Law in Chicago. Following law school, Justice Jones returned to Idaho to work as a law clerk for then Chief Justice of the Idaho Supreme Court, Joseph J. McFadden. In 1970, he joined the law firm of Eberle, Berlin, Kading, Turnbow, McKlveen & Jones where he later became the firm's senior litigator, specializing in litigation of all types, including negligence, product liability, professional malpractice and commercial litigation. Justice Jones was appointed to the Idaho Supreme Court in July of 2007.



JUSTICE JOEL D. HORTON

Justice Horton attended undergraduate school at the University of Washington, where he majored in political science, and attended law school at the University of Idaho. He worked in private practice in Lewiston before serving as a deputy prosecuting attorney in both Twin Falls and Ada Counties. He also worked as a deputy attorney general for the state of Idaho. Justice Horton was appointed Ada County magistrate judge in 1994, where he served as a family law judge, until his appointment to the district court in 1996. He was appointed as Idaho Supreme Court Justice in September of 2007.