

Idaho Civil Justice Reform Task Force Report and Recommendations

Idaho Rule of Civil Procedure (IRCP) 1 states: “These rules should be construed and administered to secure the just, speedy and inexpensive determination of every action and proceeding.” In 2016, the Idaho Supreme Court identified two issues facing Idaho’s courts--the increasing cost of civil litigation and the decline in civil filings between 2006 and 2015. Idaho’s experience is not unique. States across the country have similarly experienced declining civil caseloads brought about by lengthy and costly litigation. The national phenomenon has been studied in many quarters and solutions have been suggested. For example, the Conference of Chief Justices (CCJ) issued a publication entitled *Call to Action: Achieving Civil Justice for All*. This publication documented a comprehensive study of problems confronting civil courts across the country. In 2016, the CCJ adopted and endorsed the publication’s thirteen recommendations for improving and restoring public confidence in civil courts.

Because of the troubling signs that the Idaho court system might not be delivering on the promise of IRCP 1, the Idaho Supreme Court issued an order on November 21, 2016, establishing the Civil Justice Reform Task Force. The task force was comprised of judges and lawyers with various practice areas from across the state. The Court charged the task force with examining the state’s civil justice system, determining problem areas, and recommending appropriate solutions.

The task force examined Idaho’s current practices and civil justice landscape, identified concerns, considered reform plans from a number of other states, and made recommendations for change. In early 2019, the taskforce delivered its report, as well as a technical correction, to the Idaho Supreme Court. The report recommends revision of relevant court rules of civil procedure with the intention of providing more timely and cost-effective justice in approximately seventy percent of the general civil cases filed in Idaho courts. These cases include collections, contracts, real estate disputes, employment, personal injury, and medical malpractice, but exclude family law and small claims cases.

The Idaho Supreme Court is now posting the report publically and seeking comments regarding the task forces’ recommendations. The comment period will remain open until June 30, 2019. All comments should be sent to CourtComments@idcourts.net.

[Civil Justice Reform Task Force Final Report](#)
[Civil Justice Reform Task Force Technical Correction](#)