



Report to the Governor
C.L. "Butch" Otter
and the
1st Regular Session of the
64th Idaho Legislature

IDAHO JUDICIARY

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JUDICIAL RECRUITMENT AND EXCELLENCE

Judicial Recruitment Challenges

The recruitment and retention of highly-qualified judges is, and remains, essential to the Court's constitutional mission to provide timely, fair, and impartial justice. Selecting the most qualified applicants for the bench starts with having an adequate number of highly-qualified applicants. The Idaho Courts continue to experience recruitment challenges for all levels of judgeships; district judge recruitment has been particularly difficult:

Judicial Recruitment in 2016

Judgeship Type	Number of Vacancies	Total Applications	Average Applications
District Judge	3	27	9
Magistrate Judge	9	142	16

Judicial Recruitment in FY2015

Judgeship Type	Number of Vacancies	Total Applications	Average Applications
Court of Appeals Judge	1	12	12
District Judge	3	27	9
Magistrate Judge	4	57	14

Judicial Recruitment in FY2014

Judgeship Type	Number of Vacancies	Total Applications	Average Applications
District Judge	5	40	8
Magistrate Judge	7	126	18

Strengthening Recruitment by Increasing Judicial Compensation

Judicial compensation continues to be a priority of the judiciary as salaries have been repeatedly identified as one of the primary impediments to judicial recruitment. Recruiting experienced, highly-qualified applicants from the private sector, who are already established in their careers, is a challenge. It is necessary to provide adequate compensation for a highly qualified attorney to consider leaving a thriving career for a district judgeship where they could face repeated contested elections is necessary.

The Idaho Supreme Court recognized that salary compression among the four levels of judgeships was causing significant recruitment challenges, particularly at the district judge level. In 2014, the Idaho Legislature worked with the Court to address this issue. The Legislature enacted SB1394 (2014) which amended I.C. § 59-502 and established much needed salary differentials between levels of judgeships to be effective in FY2015. The judiciary did not present a judicial compensation proposal during the 2015 session in light of the support received from the Legislature for judicial compensation in the previous session. The judiciary monitored recruitment efforts and assessed needs in preparation for the 2016 legislative session.

In the 2016 legislative session, SB1420 increased salaries for trial court judges – district and magistrate judges. In addition, Idaho Supreme Court Justice salaries increased by \$5,000 as approved during the 2014 Legislature. The only judges not receiving an increase in FY2017 were Court of Appeals Judges. As illustrated in the following chart, an Administrative District Judge now earns more than a Court of Appeals Judge:

Current Office	FY2015	FY2017
Chief Justice	\$137,000	\$142,000
Justices	\$135,000	\$140,000
Court of Appeals Chief Judge	\$132,000	\$132,000
Court of Appeals Judges	\$130,000	\$130,000
Administrative District Judges	\$126,000	\$130,500
District Judges	\$124,000	\$128,500
Magistrate Judges	\$112,000	\$116,500

The primary salary priority of the Supreme Court for FY2017 is to restore the salary differential of \$6,000 between a Court of Appeals Judge and a District Judge. The Supreme Court's next salary priority is to maintain the remainder of the statutorily set salary differentials existing in I.C. § 59-502, which are stated above. The courts continue to encourage magistrate judges to apply for district and appellate court positions. Because of their experience in handling court proceedings and knowledge of the law, magistrate judges are highly desirable for district judgeships. We will continue to monitor and strengthen our recruitment efforts with magistrate judges.

Judicial Leadership

The courts have nine judicial leadership positions which require certain judges to take on administrative duties, significantly increasing their workload. The positions are the Chief Justice, Chief Judge of the Court of Appeals, and the seven Administrative District Judges. The Supreme Court proposes to increase the statutorily set compensation for the increased workload of these leadership positions from a fixed \$2000 per year, to 3% of the salary. Pursuant to I.C. §§ 1-201, 1-2408, and 1-703, separate legislation will be required.

Strengthening Judicial Resources

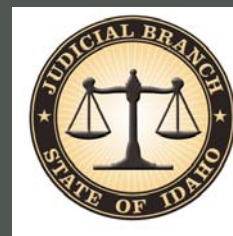
Senior Judges are a vital resource to the judiciary in carrying out its constitutional responsibilities and commitments to the citizens of Idaho. Senior Judges reduce delays, assist districts with calendar management, and provide help when there is an extended illness or vacancy.

The Court is requesting to restore the base number of Senior Judge days to FY16 levels. By statute, a Senior Judge is compensated at the rate of 85% of the daily salary of an active judge of the same level. When the legislative appropriation of general funds to the Senior Judge function remains constant, but a salary increase is legislatively provided to active judges, the same pool of Senior Judge funds "buys" a lesser number of senior judge days. Therefore, to maintain the same number of Senior Judge days which existed in FY16, this appropriation needs to be increased.

In FY2014, the Court and the Judicial Council jointly received a grant to strengthen Idaho's current Judicial Performance Evaluation Program. The grant secured the assistance of national experts in reviewing Idaho's current performance evaluation survey and in developing a new survey. The experts also convened focus groups to gain the input of Idaho judges, attorneys, and court staff regarding these evaluations. The Idaho Judiciary has committed to 100% participation in these evaluations, which are directed at self-improvement.

The 2016 Legislature partially funded the request so the Judicial Performance Evaluation Program could be initiated. The Legislature did not initially fund the facilitator judge aspect of the program. It is anticipated that the facilitator judge funding will be sought in a future year. The Idaho Judiciary has developed a new survey tool to evaluate judges and 3-5 judges will be evaluated each month. The program is tentatively set to begin on January 1, 2017.

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Mission Statement of the Idaho Courts

As the Third Branch of Government, we provide access to justice by ensuring fair processes and the timely, impartial resolution of cases.

The Idaho Courts stand for:
Integrity
Fairness
Independence
Respect
Excellence
Innovation

The Idaho Courts strive to:

**Provide Timely,
Impartial Case Resolution
through Legally
Fair Procedures**

Ensure Access to Justice

**Promote Effective,
Innovative Services**

**Increase Public Trust and
Confidence in Idaho Courts**

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October 31, 2011
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