



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

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 continues to be an ongoing difficulty. During FY2017, one Justice of the Supreme Court was elected in a contested election, Justice Robyn Brody. The remaining new judges were appointed. The below charts reflect the applicant pools for judgeships in which an appointment was made:

#### Judicial Recruitment in FY2017

Judgeship Type	Number of Vacancies	Total Applications	Average Applications
Court of Appeals Judge	1	12	12
District Judge	5	48	9.6
Magistrate Judge	3	30	10*

\* The number of magistrate judge applications was much lower in FY17. This may be due, in part, to the fact that the magistrate vacancies occurred in rural counties with a more limited pool of local applicants (Lewis, Bonner, and Clark). A recent magistrate judge vacancy in Ada County resulted in 29 applications.

#### 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

### Strengthening Judicial Resources

Since 2013, the Court and the Judicial Council have been working to strengthen the performance of Idaho's judges through evaluation and education. In FY2014, the Court and the Judicial Council jointly secured a grant for 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 judicial evaluations, which are directed at self-improvement.

The 2016 Legislature partially funded a request so the Judicial Performance Evaluation Program could be initiated. Additional resources were added to assist with administration of the program and the Judicial Performance Evaluation Program went live in January 2017. Three to five judges are evaluated each month through surveys. As of December 2017, 39 evaluations have been completed. Overall feedback from judges who have been

evaluated has been positive with 88% of those judges responding to a post-evaluation survey indicating that the feedback received from the surveys was helpful for them to consider regarding their judicial performance.

Some comments from judges who have received a performance evaluation include: “the most meaningful to me were the questions regarding fairness and impartial decision making and how the people/litigants/attorneys are treated. This is a helpful topic area for evaluating judges since people’s perceptions of the court system (and judges) are so critical to maintaining confidence in the process.” Another judge stated, “The process helped me re-evaluate some areas of my judicial performance that I had assumed were being done well.”

This year, the Court will seek funding to implement an important additional component of evaluation and education. Currently the evaluation consists only of a survey with results provided to the judge and the offer of judicial education opportunities. The Court seeks to add a facilitator judge component in which another judge would engage in courtroom observations of the evaluated judge, review and discuss both survey results and observations, and make recommendations for training and improvement. This facilitator judge component would be staffed using both active and senior judges.

### Judicial Compensation

As the Idaho judiciary continues to focus on recruiting highly qualified candidates for Idaho’s judgeships, compensation continues to be a priority. Previously, members of the Idaho State Bar Association have identified salaries one of the primary impediments to judicial recruitment. Recruiting experienced, highly-qualified applicants from the private sector, already established in their careers, is a challenge. Similarly, the courts continue to encourage magistrate judges to apply for district and appellate court positions. Because of their experience handling court proceedings and knowledge of the law, magistrate judges are highly desirable for district judgeships. However, it is necessary to provide an adequate compensation package for highly qualified applicants to consider leaving a thriving and established career for a district judgeship where they could face repeated contested elections.

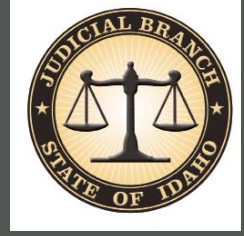
The table below identifies the current judicial salary structure.

Current Office	FY2018
Chief Justice	\$149,700
Justices	\$146,700
Court of Appeals Chief Judge	\$140,700
Court of Appeals Judges	\$137,700
Administrative District Judges	\$134,700
District Judges	\$131,700
Magistrate Judges	\$119,700

### 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 2017 Legislature approved to increase the statutorily set compensation for the increased workload of these leadership positions from a fixed \$2,000 per year, to a fixed \$3,000 per year.

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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**

Adopted by the Supreme Court  
 October 31, 2011  
 and revised  
 April 25, 2016