

TENTATIVE AGENDA

~~ *Administrative Conference* ~~

Thursday and Friday, April 12-13, 2012  
Lincoln Room, Idaho Supreme Court // Boise, Idaho

As of 03-29-12

**Thursday, April 12, 2012**

*Location: Lincoln Room*

1:00 pm ~~ **Welcome** by Chief Justice Roger Burdick

A. **Approve Minutes of the February 6-7, 2012 Administrative Conference** .....Page 1

B. **Supreme Court Action on Administrative Conference Recommendations and other Supreme Court Updates by Chief Justice Burdick**

1. Recommendation to approve one-time budget funds for problem-solving courts and community-based sentencing alternatives was transmitted to the Court for its consideration....Page x  
The one-time FY12 budget (\$76,400) was approved.
2. Recommendation to change the procedure for assigning and transferring a judge in cases where there are district-wide recusals will be forwarded by Steve Kenyon and Cathy Derden to the Court for consideration at its April conference. ....Page x
3. State Board of Examiners approval of a mileage rate to \$0.55 per mile was forwarded to the Court. The Court approved the increase, effective July 1, 2012. Thank you, J. Shindurling!....Page x
4. Review status of ICAR 58 – Resident Chambers.....Page x  
Chief Justice Burdick will report on the status of this rule and communications with the Governor’s Office.
5. ICAR 43A Administrative Conference  
The Court adopted ICAR 43A, effective April 1, 2012. ....Page x
6. Bail Bond Guidelines were published, effective \_\_\_\_\_, 2012. ....Page x
7. ICAR 32 amendments relating to guardianships and conservatorships were approved by the Court and a copy of the order is included in the materials. ....Page x

C. **Legislative and Budget Matters**

1. FY13 and FY14 Budgets .....Pages x  
The Administrative Conference will discuss the status of the FY13 and FY14 budgets, and recommend any necessary adjustments, plans, and decisions.
  - a. FY13 Budgets (Courts, Millennium Fund, Permanent Building Fund, Substance Abuse / Mental Health) including 2% compensation plans and senior judge allocations.
  - b. FY14 Budget preparation plans and timelines
  - c. Hay Compensation study plans
  - d. Employee Handbook review project

2. Review 2012 Legislative Session / Legislation of Interest .....Page x  
The legislative “tracking report” is included for review. Implementation strategies and actions will be identified for July 1, 2012. A copy of the Legislative Summary will be distributed at the Conference to review in detail.
  - a. Emergency Surcharge
  - b. Compensation
  - c. Judicial Retirement
  - d. I.C. § 19-2524
  - e. 2-Year Limit on Misdemeanor Probation
  - f. Right to Counsel for Children in CPA Cases
  - g. Parenting Coordinators
  
3. Other legislation of interest
  - a. Improve collections; Criminal Justice Commission study approved; recommendations
  - b. SUDS (legislative intent language / JFAC summer and fall)
  - c. Idaho Legal Aid Services (HB 640)
  - d. Credit Bail (SB 1325)
  - e. Traffic Safety Education (SB 1275)
  - f. Taxes and Fees (\_\_\_\_\_)
  - g. Records / Historical Society (HB 599)
  
4. Judicial Elections  
Some have expressed a concern about the impact of closed primaries on judicial elections. The Administrative Conference will review the summary of district judges deliberations. ....Page x
  
5. Providing Legislative Updates in each Judicial District .....Page x  
Patti Tobias, Senior Judge Wood, and Michael Henderson would appreciate the opportunity to meet with the judges in all judicial districts to review legislation of interest and court rule changes. Each district will be asked to schedule a review before July 1<sup>st</sup>.
  - a. Legislative reports
  - b. New court rules effective July 1, 2012: Civil, Criminal, Misdemeanor, Juvenile, and Appellate
  - c. Building relationships
  
6. Looking to the Future: The Importance of Court-Legislative Relationships .....Page x  
The Conference will be invited to share their observations about the current status of relationships and begin planning for the upcoming session. A report on upcoming changes and recommendations will be made. Plans should also be made for a presentation at the September Judicial Conference. Each district will be asked to thank legislators in their district. The pending Legislative Inventory and the Legislative Protocol for Effective Relationships are included for reference in your materials.

6:00 pm ~~ Administrative Conference adjourns for the day

**Friday, April 13, 2012**

*Location: Lincoln Room*

**8:30 am**      **D. Mission Statement, Values and Strategic Goals and Objectives of the Idaho Courts** .....Page x  
The Administrative Conference will review the court’s Mission Statement.

1. Advancing Justice: Idaho’s Caseload Management Initiative.....Page x  
Senior Judge Barry Wood will update the Conference on recent developments and upcoming plans and invite the ongoing thinking and recommendations to guide the efforts.
  - a. Enhancing Performance Measures (TA)
  - b. Magistrate Civil Time Standards
  - c. Use of senior and visiting judges for mediation (Judge Wetherell’s question)
  - d. Request to appoint a Supreme Court committee

2. Factors impacting judicial caseloads .....Page x  
As discussed at the October Administrative Conference, Taunya agreed to conduct a preliminary analysis of population trends and the impact on caseloads.

3. Enhance the ability to efficiently conduct court business by developing technologies, especially electronic filing of all court documents .....Page x  
Court staff will report quarterly for the next two years on the status of the statewide e-filing initiative, and engage the Administrative Conference in any design or policy issues. A copy of the updated Court Technology Plan is included in the conference materials.

The Conference will also be asked to review the new Court Assistance website to obtain suggestions and feedback. The Court website will be launched May 1, 2012.

Janica Bisharat will propose the appointment of a standing committee on court technology, and specifically an e-filing design and implementation committee.

4. Performance Measures update  
Taunya Jones and Janica Bisharat will report on performance measures findings, addressing:
  - As requested at the February Administrative Conference, the 9 performance measures outlined are as follows:

Access and Fairness	Reliability and Integrity of Case Files
Clearance Rates	Collection of Monetary Penalties
Time to Disposition	Effective Use of Jurors
Age of Active Pending Caseload	Court Employee Satisfaction
Trial Date Certainty	

5. Strengthening the Role of Administrative District Judges .....Page x  
Judge Wood prepared recommendations to strengthen the role of Administrative District Judges, including: caseload adjustments, the use of senior judge days by the Administrative District Judge, added remuneration, asking other judges to assist, role of the court administrator, and other strategies. The recommendations were discussed with district judges at their February conference and the recommendations are now ready for consideration.

6. Increase Awareness of the Importance of the Jury System – as well as the public’s .....Page x  
participation in that system – and develop strategies to improve jury service and appreciation. The Administrative Conference will be asked to develop strategies and plans to address this important court goal.

- 7. Perspectives on State Court Leadership (Resource Materials)
  - a. A Case for Court Governance Principles.....Page x
  - b. Herding Lions: Shared Leadership of State Trial Courts.....Page x

10:00 am     ~~ Break

10:15 am     **E. Other Business**

- 1. Senior Judges .....Page x  
The Conference will consider recommendations relating to the orientation, training, and performance evaluation of senior judges, as requested by the Supreme Court.
- 2. Making the Record update  
Janica Bisharat will update the Conference on:
  - a. Input on the five policy areas, as solicited from the court reporters and district judges at their respective education programs held in February
  - b. The status of policy recommendations developed from the input received
  - c. A copy of the evaluations of the recent conference is included in the materials.....Page x
- 3. Proposed rule amendments.....Page x
  - a. Cathy Derden was asked to develop recommendations for the criminal mediation rule and report on the status at the April Conference.
  - b. Kim Halbig-Sparks will make recommendations relating to mediation and parenting coordinator rules, Child Support Guidelines, and child protection rules.
  - c. Recommendations relating to the Felony Sentencing Committee
  - d. Recommendations relating to ICAR 32 exempting records in family law cases involving children from public disclosures.
- 4. Discuss court rules regarding email notices of hearings.....Page  
Following discussion at the February Administrative Conference, Cathy Derden was asked to review court rules regarding email notices of hearings and whether or not such a practice is permitted by court rule, and bring back any proposals for consideration to the April Administrative Conference.
- 5. Proposed rule from the Media/Courts Committee .....Page x  
Following discussion at the February Administrative Conference, Michael Henderson was asked to further refine and incorporate ideas into the proposed new rule relating to electronic devices in court facilities, fur further discussion in April.
- 6. Ideas relating to general election days and other ways to deal with the holiday.....Page x  
Following discussion at the February Administrative Conference, Michael Henderson was asked to incorporate ideas relating to the general election days and other ways to deal with the holidays and report back the April Administrative Conference.
- 7. In Re: Robert Manwill Blue Ribbon Panel Report and Recommendations.....Page x  
The report is included for your reference. The Court’s Child Protection Committee will be asked to consider certain recommendations.
- 8. Clerks and Judges Conference held February 6, 2012  
The evaluation of the conference is included in the materials.....Page x

**G. Discuss Proposed agenda for July 10-11 , 2012 Administrative Conference**

- Proposed amendments to I.C. 37-2738(4) regarding problem-solving courts will be brought back to the Administrative Conference in July or October 2012; recommendations relating to the Domestic Violence Court Fee and the earlier approval by the Administrative Conference
- October 11-12 National Summit on Language Access – limited English proficiency
- \_\_\_\_\_
- \_\_\_\_\_

**H. Discuss plans for Upcoming Dates of Importance to the Administrative Conference**

**July 2012**

Tuesday, July 10 .....Administrative Conference (Boise)  
 Wednesday, July 11 .....Administrative Conference (Boise)  
 Wednesday – Friday, July 11-13.....State Bar Annual Meeting (Boise)

**October 2012**

Thursday, October 11 (afternoon).....Administrative Conference (Boise)  
 Friday, October 12 (morning).....Administrative Conference (Boise)

**February 2013**

Monday, February 4 (morning).....Clerks/Judges Conference (Boise)  
 Monday, February 4 (afternoon).....Administrative Conference (Boise)  
 Tuesday, February 5 (morning) .....Administrative Conference (Boise)

**April 2013**

Thursday, April 18 (afternoon) .....Administrative Conference (Boise)  
 Friday, April 19 (morning) .....Administrative Conference (Boise)

**12:00 Noon**

**I. Idaho Judicial Council**

Jim Carlson has been invited to discuss the 2011 Summary of Informal Ethics Opinions and voluntary performance evaluations, seeking ideas and strategies to expand the number of judges enrolled in the program. ....Page x

**12:30 pm**

**~~ Adjournment**

**NOTE: Association presidents Kerrick and Bollar will be meeting with Senior Judge Wood and Patti Tobias following adjournment to discuss future strategies and ideas about the important role of associations in the improved administration of justice.**