

TENTATIVE AGENDA

~~ *Administrative Conference* ~~

Thursday and Friday, October 16-17, 2014
Lincoln Conference Room, Idaho Supreme Court // Boise, Idaho

DRAFT: as of 10-08-14

Thursday, October 16, 2014

Location: Lincoln Conference Room

1:30 pm ~~ **Welcome** by former Chief Justice Linda Copple Trout, including an update on the status of the Administrative Director of the Courts position.

A. Mission Statement, Values and Strategic Goals and Objectives of the Idaho Courts and ICAR 43a

- 1. At each meeting, the Administrative Conference reviews the Court’s Mission StatementPage x as revised and ICAR 43A regarding the role and responsibilities of the Administrative Conference.Page x
- 2. The evaluation summary of the July 15-16, 2014 Administrative Conference is included in the materials. This will be the first “electronic only” agenda, materials and meeting!Page x

B. Approve the Minutes of the July 15-16, 2014 Administrative Conference.Page x

C. Supreme Court Action on Administrative Conference Recommendations and other Supreme Court Updates by former Chief Justice Linda Copple Trout

- 1. Following approval by the Supreme Court, the revised legislative protocol was distributed to administrative district judges and trial court administrators and made available to all judges via the Court E-News.....Page x
- 2. The amendments to MCR 9.4 were circulated for comments, and forwarded to the Supreme Court for its consideration at the September 18 Oral Conference agenda, which resulted in further modifications. Cathy Derden will provide a status report on this item.
- 3. The proposed rules relating to discretionary jail time ICR 33 were discussed by the Court at its July Conference, tabled, and transmitted to the Felony Sentencing Committee for further discussion vis-à-vis applicable IDAPA JRI rules. Kerry Hong will provide a status report on this issue.

D. Legislative and Budget Matters

The Conference will be asked to discuss:

- 1. FY15 Budget Status
Roland Gammill will report to the Conference on the status of the FY15 budget.....Page x
 - a. Technology Fund revenue update
- 2. FY16 Preliminary Budget, Revenue, and Legislative Priorities.....Page x
The Administrative Conference in July reviewed a summary of all FY16 requests and asked for analysis and recommendations. Judge Wood will present the analysis, and summarize the recommendations. The Conference will be asked to adopt and recommend the FY16 budget and legislative priorities. A copy of the requests, analysis, and a summary of the recommendations has been included in the materials.Page x

3. Review status of other legislative matters of interest / requests

Judge Wood and Michael Henderson will summarize and report on other legislative matters of interest:

- a. The Administrative Conference will discuss other matters of interest and recommend any other legislative priorities and potential “defects in the law.”
 - (1) Judicial Recruitment, compression, and compensation
 - (2) Public Defender Commission / Public Defense Reform Interim Committee
 - (3) Justice Reinvestment (SB 1357)
 - (4) Board of Pharmacy
 - (5) Credit for time served
 - (6) Bear River Basin Adjudication
 - (7) Blended Sentences by Department of Juvenile Corrections
 - (8) Juvenile sex offender proposals by Department of Juvenile Corrections
 - (9) Resident Chambers (1st and 2nd Judicial Districts; any others?)Page x
 - (10) Rep. Burgoyne’s potential legislation regarding judicial elections / vacancies
 - (11) Executions and garnishments
 - (12) Expungements
 - (13) PERSI / JRF
 - (14) Medicaid redesign
 - (15) Number of jurors in magistrate trials (Article I, Section 7)
 - (16) Withheld judgments in drug court cases (J. Butler email of 6-9-14)(I.C.§37-2738)
 - (17) Juvenile Justice Advisory Team legislation dealing with confidentiality of juvenile records and tolling of probation
 - (18) Proposed “Defects in the Law” letterPage x
 - (19) Any other suggestions?

Proposals from subcommittees of the Criminal Justice Commission:

- Proposed reductions of misdemeanors to infractions
- Revision of rape statute to make it gender neutral, to cover both male & female rape
- Adoption of a sexual battery statute, to address batteries involving contact with intimate parts of the body to gratify lust, passion or sexual desire, or to degrade the victim.

- b. The ***Legislative Inventory of Potential Legislation*** is included in the materials,Page x as well as other legislative proposals.Page x
 - c. Possible constitutional amendment regarding a 3-branch compensation committee.
 - d. Any follow-up pending from legislative meetings held earlier this year?
4. Maintaining effective relationships with legislators / Legislative “Road Trips” planned
 Senior Judge Barry Wood will plan visits to key legislators before and after the November general election. Administrative District Judges and Trial Court Administrators will be kept apprised of all schedules, and invited to join as available. The Conference will also discuss recent district efforts to thank legislators for efforts last session. Any changes in legislators or legislative committees as a result of the May primary elections will be noted.
- a. Update Legislative Review Teams (last year’s list included).....Page x
 - b. Update Legislative contacts form.....Page x
 - c. District opportunities to meet with legislators
 - d. Status of Magistrate Judges Association plans
 - e. Status of inviting legislators to local judicial recruitment interviews

Friday, October 17, 2014

Location: Lincoln Conference Room

8:30 am E. Achieving the Court’s Strategic Goals and ObjectivesPage x

1. Provide Timely, Fair, and Impartial Case Resolution: Advance justice by resolving cases as early as possible, while guaranteeing the rights of the parties.Page x
 Senior Judge Barry Wood and Administrative District Judge Dunn will update the Conference on recent developments and upcoming plans and invite the ongoing thinking and recommendations of the Conference to guide this important effort.
 - a. Adoption of the updated Statewide Caseflow Management Plan
 - b. District Felony Plans to be updated by January 2015
 - c. Proposal for adoption of District Plans by local rule
 - d. District CP caseflow management, following Judicial Conference
 - e. Plans for creation of remaining district-wide plans
 - f. Rules subcommittee work

2. Ensure Access to Justice: Enhance the ability to efficiently conduct court business by developing technologies, especially electronic filing of all court documents.Page x
 Kevin Iwersen and Janica Bisharat will update the Conference on recent developments to fulfill the IT Strategic Plan. The Administrative Conference will be kept apprised of the Court Technology Committee’s actions, the work of the Design and Implementation Team, and the Odyssey deployment.

3. Proposed Policy Manual for Judges and Justices: Discuss administrative leave policies and issuesPage x
 The Conference will discuss potential administrative leave provisions. The policy manual itself will be reviewed during the January District Judges Conference and the May Magistrate Judges Conference, and revisions made following.

4. Committee Recommendations from the Performance Evaluations CommitteePage x
 Chief Justice Burdick, Chair, and others will update the Conference on the NCSC report and recommendations made by the Judicial Performance Evaluation committee. A committee report was made at the September Judicial Conference, and the Administrative Conference will be asked for its recommendations and reactions to the proposed implementation plan.

5. Analysis of Statewide Needs for Language Access ServicesPage x
 Janica Bisharat was asked to provide an analysis of statewide needs relating to language access services for further consideration by the Administrative Conference.

6. Training Budget Request for Judicial EducationPage x
 Janica Bisharat was asked to draft a detailed training budget request for judicial education for further consideration by the Administrative Conference.

7. Rule Committee Recommendations
 - a. Criminal Rules amendments: Cathy Derden will provide a status report.
 - b. IJR 19 – Standards and Procedures for Commitment to DJC (JCA)Page x

F. Other Business

1. Report on the Timelines of State Crime Lab Reports: Judge Oths will provide a further update on these reports.

2. PERSI Eligibility: Andrea Patterson will provide an update on the legal analysis and survey of all judges.Page x
3. Court Facility Assessments: Larry Reiner, Judge Gaskill, and Suzanne Johnson will report on the three site visits. Janica Bisharat will detail the status of the courthouse guidelines and potential training plans.
4. Implementation of Code Provision Providing Address Confidentiality: Michael Henderson will report on the implementation of the code provision which provides for address confidentiality for law enforcement officers and similar statutes in other states..Page x
5. U.S. Supreme Court Grants Cert in Judicial Canons CasePage x
6. Toll Fellowship: Judge Bevan will be invited to report on his participation in the Toll Fellowship program in Kentucky.

G. Discuss Proposed agenda for February 3, 2015 Administrative Conference

- Tribal Court Forum
- Legislative & Executive Elections: The Conference will be invited to discuss the November 2014 Executive and Legislative elections; the December Organizational Meeting and committee assignments.
- Judicial Elections: The Conference will be invited to discuss the November 2014 contested judicial elections.
- Report on facilities and space planning
- Conference of Chief Justices – Resolution 8 regarding disqualifications and related matters
- Trial Court Administrators will review strategies and approaches regarding the use of freelance court reporters and bring back recommendations to the Administrative Conference

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

February 2-3, 2015 / Boise

Monday, February 2, 2015..... Clerks/Judges Conference + Clerks Training
 Tuesday, February 3, 2015 Administrative Conference

April 16-17, 2015 / Boise

Thursday, April 16 (morning)..... Administrative District Judges Meeting
 Thursday, April 16 (morning)..... Trial Court Administrators Meeting
 Thursday, April 16 (afternoon)..... Administrative Conference
 Friday, April 17 Administrative Conference

July 21-22 2015 / Sun Valley

Tuesday, July 21 Administrative Conference
 Wednesday, July 22 Administrative Conference
 Wednesday – Friday, July 22-24..... State Bar Annual Meeting

October 15-16, 2015 / Boise

Thursday, October 15 (morning) Administrative District Judges Meeting – Boise
 Thursday, October 15 (morning) Trial Court Administrators Meeting – Boise
 Thursday, October 15 (afternoon)..... Administrative Conference – Boise
 Friday, October 16 (morning) Administrative Conference - Boise

12:00 pm

I. Adjournment