



Report to Governor
C.L. "Butch" Otter
and the 1st Regular
Session of the 63rd
Idaho Legislature

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Judicial Recruitment and Excellence

Promoting Effective, Innovative Services Through the Recruitment and Education of Judges

The recruitment and retention of highly-qualified judges is essential to the Court's constitutional charge to provide, timely, fair, and impartial justice.

JUDICIAL RECRUITMENT IN FY2014

In FY2014 the Court recruited for five district judges and seven magistrate judges. For district judge positions, there were a total of 40 applicants, or an average of eight applicants per position. For magistrate judge positions, there were a total of 126 applicants for an average of 18 applicants per position.

JUDICIAL RECRUITMENT CHALLENGES

Selecting the most qualified applicants for the bench depends in part on an adequate number of applicants. The Court has experienced the following challenges in attracting highly qualified applicants:

- **Struggle to Compete:** One of the challenges the Idaho Courts face is the ability to recruit highly-qualified individuals into a new career path who are otherwise already in their mid-to-late working careers and well established in their positions. The Idaho Courts must provide adequate compensation for a highly qualified attorney to consider leaving a thriving career for a district judgeship where they could face a contested election every four years.
- **Salary Compression:** The Idaho Judiciary has experienced significant salary compression among all levels of judgeships, but particularly among magistrate and district judges. This is one of the reasons highly qualified magistrate judges choose not to apply for district judge positions. The \$5,000 salary differential between magistrate and district judges was not enough of an incentive to encourage magistrate judges to apply for a district judge position with greater responsibility and the reality of possibly facing a contested election every four years.

FY2014 LEGISLATURE RESPONDED WITH JUDICIAL SALARY INCREASES

The 2014 Legislature approved increases to judicial salaries, with significant increases for district judges, where the recruitment challenges have been the greatest. It is hoped that the increased salaries will assist the Court with its recruitment efforts by providing more competitive salaries and reducing the salary compression among magistrate, district, and appellate judges. In particular, the salary differential between magistrate and district judges is now \$12,000. The impact of these salary increases on judicial recruitment is being carefully monitored.

| Current Office | FY2014 | FY2015 |
|--------------------------------|-----------|-----------|
| Supreme Court Chief Justice | \$123,400 | \$137,000 |
| Supreme Court Justices | \$121,900 | \$135,000 |
| Court of Appeals Chief Judge | \$120,900 | \$132,000 |
| Court of Appeals Judges | \$120,900 | \$130,000 |
| Administrative District Judges | \$115,800 | \$126,000 |
| District Judges | \$114,300 | \$124,000 |
| Magistrate Judges | \$109,300 | \$112,000 |

JUDICIAL SALARY RANKINGS IMPROVE

The Idaho Judiciary participates in annual national judicial salary surveys conducted by the National Center for State Courts. As of July 2013, Idaho district judge salaries were ranked the 49th in the nation and the Supreme Court Salaries were ranked 51st. With the increase in salary approved by the Legislature, district judge positions are now ranked 43rd in the nation and Supreme Court Justices are ranked 45th.

Idaho Courts Expand Outreach Efforts: The Idaho Courts have expanded outreach efforts to include workshops for district judge applicants. In FY14, 38 potential applicants for district judgeships attended recruitment workshops designed to provide information not only about judicial compensation and benefits but also to provide applicants with information about what it is like to be on the bench, and why a district judgeship is a rewarding career move.

The selection process that applicants participate in to become a district judge has also been a deterrent to potential applicants. The Judicial Recruitment Committee, comprised of appellate judges, district court staff, administrative court staff, and public and private sector attorneys, is currently developing a survey tool to gather feedback about the selection process and identify areas for improvement.

The Idaho Courts will continue to expand outreach efforts to recruit more potential applicants.

JUDICIAL EXCELLENCE

In FY2014 the Court and the Judicial Council jointly applied for a grant to strengthen Idaho's current judicial performance evaluation program. The grant secured the assistance of national experts to review Idaho's current performance evaluation survey, to develop a new survey, and to make recommendations for how to improve the existing program. The experts convened focus groups to gain the input of Idaho judges, attorneys, and court staff regarding the evaluation program. In their final report, the consultants recommended completely replacing the survey instrument and transferring the administration of the program from the Judicial Council (which is responsible for recommending disciplinary action for judges) to the Supreme Court. Additionally, one unique aspect of the new judicial excellence surveys is that the judge being evaluated and a facilitator judge will review the evaluation survey results together to discuss the feedback and the Court will provide resources for professional development as appropriate.

Beyond embracing the above recommendations, the Idaho Judiciary has expressed a commitment for 100% participation in performance evaluations. Judicial evaluations are one aspect of the Judicial Excellence and Education Program to ensure excellence throughout a judge's service. The program will begin with the recruitment of highly qualified judges and continue through pre-bench orientation, new judge mentoring and education, periodic surveys and access to resources to improve performance, ongoing education, and extending to retirement and subsequent senior judge service. The Court is seeking a legislative appropriation to support this ongoing program and hopes to implement a pilot in July 2015, with statewide implementation slated for January 2016.