Sitting Judge Profile

Deborah Bail
District Judge
4th Judicial District

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"One of a kind, unique, the longest sitting District Judge in the state, female role model…all phrases used to describe District Judge Deborah Bail of Ada County in the Fourth Judicial District. Her tenure of twenty-eight years on the bench is a remarkable example of dedication and hard work; her closest district judge colleague has a mere sixteen.

Judge Bail recognizes her place in history with humor however. "I did not mind being a pioneer," she states; "At the time I just wished the other wagon would hurry up and get here." That "other wagon" was still ten years behind her. Even with the first few female magistrates in attendance at judicial conferences, "there was never a line at the ladies' room" she says laughing. Influenced most by her father and mother in her decision to study law, Judge Bail would be a trial attorney or would teach if her path had not taken such a dramatic course so many years ago. Her father was an engineer and, although raised mostly in Kansas, Judge Bail's family moved around. Ending up in Hawaii, Judge Bail did her first two years of undergraduate school there. She then moved on to Lewis and Clark in Portland, Oregon, where she completed her undergraduate studies and attended the Northwest School of Law.

Upon receiving her JD from Northwest, Judge Bail was awarded a Fellowship by the federal government. She was the first recipient of that honor at Northwest. It brought her to Boise to work with low income clients. During her tenure with the program, Judge Bail was instrumental in establishing one of the first shelters for battered and abused women. Her dedication to the community led to an extension of her Fellowship by an additional year.

Leaving that position, Judge Bail became an Assistant U.S. Attorney for the District of Idaho. She recalls those years practicing in front of some of the most recognizable names in the Federal Judiciary: Taylor, McNichols, Collister, and Ninth Circuit Judge Anderson. After over five years of litigating, Judge Bail was appointed to the District Court bench by then Governor John Evans, a position she has held with distinction ever since. Through it all though, she has developed a sound philosophy for keeping her life in balance and a sense of humor for reviewing her work and her position.

Judge Bail enjoys playing golf. She began playing with an invitation from a friend one evening after a judicial conference. She claims that he was very patient "with the millions of strokes" it took her to get to the first hole. After that she took lessons and was hooked. As Judge Bail puts it, after she plays golf she is always glad to go back to work where she "actually does know how to get out of the rough -- most of the time." When asked about a favorite quote and how to live by it, Judge Bail continues with that outlook. Although she has several quotes she likes, she says she just tries "to do my best and then let it go."

That in itself would seem an impossible task for one who has seen so many changes and tackled so many challenges as Judge Bail has during her tenure. But it is the variety of challenges that Judge Bail perhaps enjoys the most. The mixture of cases that need to be dealt with immediately in court, the challenge of issues arising quickly and seriously during a trial and some of the unusual issues that require digging and greater analysis all intrigue her. Maybe that is because Judge Bail enjoys being a problem solver.

"It is also deeply satisfying to help someone change the direction of their life to a more positive direction. I have had the opportunity to be part of some significant, positive life changes. It is deeply rewarding to hear from defendants who have changed their life," she states. Which probably occurs due to her following her own advice she gives to newly appointed judges, "treat everyone with respect no matter how aggravating they are."

One can see that in the people Judge Bail lists as her most admired. She first mentions former Secretary of Defense, Robert Gates, for his capable, non-partisan service to his country. Judge Bail states she has long admired Sandra Day O'Connor because she, "considers her a real judge: practical, commonsensical, respectful of precedent and her colleagues, grounded in the fact of the cases before her." Starting to sound a little bit like Judge Bail herself one would think. Any commonsensical advice for a new judge? "Pace yourself … you are a valuable resource and you need to give yourself space to work and think and write in a way that you are proud of." "Don't take yourself too seriously; laugh." And most importantly perhaps, "Tell your loved one that you love them." A tad bit from the practical part of her personality … "get the Georgetown Law Journal annual review of criminal procedure for you motions to suppress."

Great advice from someone who has maybe not "seen it all," but can claim she has seen a lot, and probably more than most, both good and bad. Judge Bail says methamphetamine has had a devastating effect on multiple generations. She now sees the children of earlier defendants appearing in her courtroom. More people are growing up in violent and disruptive homes and are creating greater problems for society and the courts. As a positive, Judge Bail cites to evidence-based sentencing research which she claims enshrines a lot of what judges have learned over time and is therefore a useful tool.

In that same vein, Judge Bail also notes that the court system has institutionalized many things that she and other judges attempted over the years in a much more helpful and detailed way. "Although I tried many things over the years through my own research and initiative, we didn't always have a name for it, or time to specialize in it." She cites to her "Bridge Court" which included mental health defendants, drug cases and veterans, all of whom now have their own "Specialty Court."

"Many of us learned to practice 'Restorative Justice' by experience," she notes. This formalization has not only helped the system but has been successful for the defendants as well. She states that it has taught judges ways to talk to people more effectively and to work with people who are not going to prison. Judge Bail knows that to "yell at them is not always helpful," and that to help people change their behavior you have to draw them out. She takes pride in all the Judiciary has been able to accomplish during her tenure as a District Judge.

Judge Bail has also dealt with some of Idaho's most compelling cases. Of course the first one that comes to mind is the schools case. Judge Bails states that it was a very difficult case with an enormous amount of testimony and a real challenge to organize the facts in a logical and useful fashion. fAdd to that the opportunity to offend virtually every legislator and many others in attempting to come up with an option without violating the separation of powers. And remind you this was only one case on what is always a very full docket. She finds cases involving the beating deaths of small children very disturbing and claims unfortunately we have too many of them. Judge Bail takes pride in her work in a case valuing the Union Pacific Railroad for tax purposes. She later discovered that her decision was used as an example of a good valuation approach at the Wharton School of Business.

But as part of her balanced approach to it all, Judge Bail also remembers the lighter side of in-court incidences as well. She shares about the car thief who explained to her that he saw a car with the engine running when he came out of a bar and thought God had sent him a gift. Judge Bail could not resist asking the defendant if he didn't think he should spend some more time in prayer.

Or in her case, playing golf. And hiking and reading, both of which she enjoys and does often. How quickly has the time passed? As with most parents, Judge Bail helps mark it by the age of her daughter. Adopted by Judge Bail in Calcutta, India, she is now a senior at the University of Puget Sound. She is a business major who hopes to pursue a busy and active career as a CPA. Who knows, maybe her mom will teach her to take some time now and then and perhaps learn to play golf. Time to relax? Really? Not often taken, but well deserved and earned from Idaho's longest sitting, dedicated District Judge, Deborah Bail of Ada County. Thank you, Judge Bail!