

IDAHO COURTS BEGIN A REVIEW OF CASE PROCESSING TIME STANDARDS

Hon. Barry Wood
Senior District Judge

Time standards create expectations for how long, on average, it should take to resolve a case. They also provide judges and court administrators with a means of actively managing cases to prevent unnecessary delay. However, time standards do not create legal rights or obligations.

The Idaho Courts are currently evaluating current time standards for the purposes of meeting public expectations, assisting judges with calendar management, and assessing the need for judicial resources. In addition to considering whether current time standards are appropriate, the Idaho Supreme Court will adopt performance benchmarks and will also determine whether there should be time standards for the various stages of a given case type. For example, with respect to felony cases, rather than simply measuring the time between the initial appearance and disposition, it might be useful to measure time to initial appearance, time to indictment or information, time to plea accepted or trial initiated, and time to sentencing. The examination of cases in stages helps to facilitate active case management and provides more meaningful information, allowing judges and court administrators to more easily identify causes of unnecessary delay.

We expect recommendations for modifying Idaho's time standards to be finalized in the fall of 2012, at which point proposed amendments to I.C.A.R. 57 will be forwarded to the Supreme Court for consideration.

As part of the review, the judiciary is soliciting input from Idaho Supreme Court committees, judges, court staff, and attorneys. By this article, the Courts are requesting participation from the Idaho Bar. This summer, in partnership with the Idaho State Bar, the Idaho Supreme Court will administer an online survey to all attorneys in Idaho to gain further insight into a variety of factors that impact case processing, including time standards. In the interim, the judiciary welcomes ques-



Hon. Barry Wood

tions, comments, and suggestions, which can be directed to Senior District Judge Barry Wood at bwood@idcourts.net or Taunya Jones at tjones@idcourts.net.

The larger effort

This evaluation of time standards is part of a larger effort on the part of the Idaho Courts that has been branded "Advancing Justice." The judiciary has initiated an open-ended, top to bottom systems review to identify and eliminate sources of unnecessary delay in case processing, that is, delay that contributes nothing to due process or procedural fairness. From family law cases to problem solving courts, complex multi-party civil litigation to small claims, and felonies to infractions, all aspects of case processing are under close review.

The Idaho Bar can expect to hear a great deal more about Advancing Justice in the coming months and years and will have multiple opportunities to participate in Advancing Justice efforts. Presentations will be made to several Bar Sections over the next few months as well as at the Idaho State Bar's Annual Meeting in July. Attorneys will be invited to participate in workgroups tasked with such things as reviewing Idaho court rules and statutes to identify additional opportunities for delay reduction and developing plans to improve Bench-Bar communications on both a district and statewide level. The Idaho judiciary places great value on the

Idaho time standards

Idaho time standards for case processing are outlined in Idaho Administrative Court Rule 57 (I.A.C.R. 57). The rule includes standards for ten case types: District Court civil, Magistrate Division civil, District Court felony, Magistrate Division felony, small claims, domestic relations and child support, juvenile corrections act, child protection act, misdemeanor, and infraction.

thinking and recommendation of Idaho attorneys and recognizes that they have a considerable stake in the outcome of the current review, particularly because any changes resulting from the current initiative may well impact the way Idaho courts conduct business for years to come.

About the Author

Judge Barry Wood is currently serving as a Senior Judge. Prior to his retirement from the bench in 2009, Judge Wood served 10 ½ years as the 5th District Administrative Judge, and served on several Supreme Court Committees, including the Supreme Court Clerk's Manual and Training Committee. Judge Wood and his wife, Karen, spend as much time as possible outdoors enjoying hunting, fishing and gardening.