

David E. Day
200 W. Front St.
Boise, ID 83702
January 31, 2013

Hon. Roger Burdick
Chief Justice
Idaho Supreme Court
P.O. Box 83720
Boise, ID 83720-0101

Patricia Tobias
Administrative Director of the Courts
Idaho Supreme Court
P.O. Box 83720
Boise, ID 83720-0101

Dear Chief Justice Burdick and Patti:

As you know, I have been planning my retirement from the bench for some time. Much as I have enjoyed my time as a Magistrate in Ada County, I have also become excited about the prospects of having more free time and of beginning a new career in mediation. When my wife and I are lurching around the countryside in our 22-year-old Toyota motorhome, I find it increasingly difficult to head for home and the next battle over kids and trinkets. Nonetheless, as I sit at my computer to draft a letter of resignation, I find the task much more difficult than I expected.

Serving the Court and the people of Idaho and Ada County as an Attorney Magistrate has certainly been a great professional honor. It has also been a challenge beyond what I ever anticipated, especially during the 17 years in which I have been assigned exclusively to a family law calendar. While I can't deny my pleasure in thinking of the day that I will never hear another contested child custody case, I have actually enjoyed those occasions when I have felt I have made a positive difference in the life of a child. I will look for continuing opportunities to make such differences through the mediation process and otherwise.

I have also very much enjoyed my work on the administrative side of the courts. I have spent many years as chair of the Court's Standard Forms Committee, which has not seen much activity of late but will probably have a lot of work associated with implementation of electronic filing. I am now also chair of the Child Support Guidelines Committee and a member of the Court Technology Committee and the associated design and implementation working group. These committees have given me a great deal of personal satisfaction and sense of accomplishment – something often hard to get from a family law calendar. The local working group for the creation of the Idaho Rules of Family Law Procedure that Judge Comstock and I have co-chaired has been one of the

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most rewarding projects with which I have been involved. I am anxious to see how it works now that it is actually in use as a pilot project in the Fourth District. It is my hope that I will be able to continue to serve the Court in such capacities as a Senior Magistrate.

It is with decidedly mixed feelings that I tender my resignation as an Attorney Magistrate for Ada County effective at the close of business September 30, 2013. I will be pleased to serve as a Senior Magistrate thereafter and will be in touch with Patti and Andrea to discuss ways in which I may be of service to the Court. Because of the issues peculiar to an exclusively family law calendar, I hope I will have an opportunity to spend some time with my successor in office before I leave.

Sincerely,

/David E. Day/

David E. Day

Attorney Magistrate