

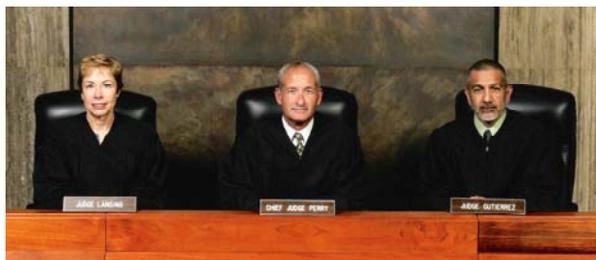
Idaho Courts: An Overview for County Elected Officials

This overview for newly elected county officials is designed to provide a quick source of basic information regarding the Idaho Courts. As county officials, you play an important role in support of Idaho's third branch of government.

Organization of the Idaho Courts



The **Supreme Court**, the state's top appellate court, consists of five Justices (from left to right): Justice Roger Burdick, Justice Linda Copple Trout, Chief Justice Gerald F. Schroeder, Justice Daniel Eismann, and Justice Jim Jones. The Supreme Court hears appeals from district courts and from the Idaho Public Utilities Commission and the Industrial Commission.



The **Court of Appeals** hears cases assigned by the Supreme Court, except capital murder convictions and appeals from the Public Utilities Commission or Industrial Commission. This court consists of three judges (left to right): Judge Karen Lansing, Chief Judge Darrel Perry, and Judge Sergio Gutierrez.

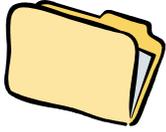
Information on Idaho justices and judges may be found on the Court's website at: <http://www.isc.idaho.gov/>.

7 Judicial Districts in Idaho

The Idaho Courts are divided into 7 Judicial Districts, each with an Administrative District Judge chosen by the other district judges in the district, and a Trial Court Administrator, supervised by the Administrative District Judge and the Administrative Director of the Courts. The Administrative District Judge has administrative supervision and authority over the operation of the district courts and magistrate divisions. In addition to other duties and responsibilities, the Administrative District Judge will meet with county commissioners and other county and local officials on budget and other matters, and will seek the advice and assistance of county officials to address any issues affecting the improved administration of justice.

The Trial Court Administrator helps the Administrative District Judge manage district court operations, and performs executive, administrative, and management functions for the judicial district.

Each county has a district court which includes a magistrate division. There are 41 district judges and 87 magistrate judges in Idaho. District Judges may regularly serve in multiple counties. At least one magistrate judge is resident in every county. District Judges hear felony criminal cases and civil actions if the amount involved is more than \$10,000, and appeals of decisions of the magistrate division. Each district judge employs a court reporter who is responsible for capturing the records of proceedings in that judge's court, and a law clerk. Court reporters are state employees, and law clerks are county employees.

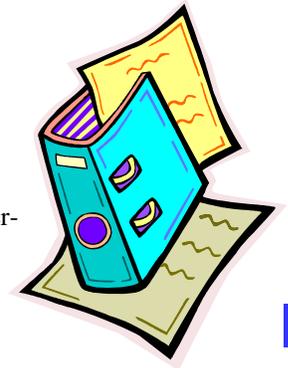


Probate matters, divorce proceedings, juvenile proceedings, initial felony proceedings through the preliminary hearing, criminal misdemeanors, infractions, civil cases when the amount in dispute does not exceed \$10,000, and cases in small claims court, established for disputes of \$5,000 or less, are just some of the cases heard in the Magistrate Division of the District Court.

The **Elected Clerk of the District Court** in each county (the 'county clerk') also has important management responsibilities for district court operations and performs additional executive, administrative, and management functions for the courts. The county clerk is an important link between the judiciary and county government. District court clerks and their deputies provide crucial services to district and magistrate judges. Deputy court clerks perform a wide range of duties, including clerking proceedings, processing cases, managing records, providing administrative assistance to judges, and providing service to the public. Another important role of the elected clerk is to serve as one of the county's jury commissioners, a group responsible for managing the jury selection process under the supervision of the Administrative District Judge. The public's confidence in the Idaho courts is based in large measure on the services, attitudes, and efficiency of the Clerk of the District Court and deputy clerks.

Court Services

The Idaho Courts strive to provide equal access to justice, promote excellence in service, and increase the public's trust and confidence in Idaho's justice system. To further the Court's goal of increasing access and service to the public, Court Assistance services have been expanded to each county and interactive court forms are being developed in English and Spanish, and are available on the Court's website. The Court has expanded the recruitment, training, and certification of court interpreters to insure all Idahoans understand court proceedings.



The Supreme Court funds and provides a statewide court management information system (ISTARS) to the counties and all court personnel, and continually updates and upgrades the use of technology and equipment for improved court operations. An ISTARS technology fund is established by statute to fund technology services and equipment for the district court.



A fundamental goal of the Idaho Courts is to improve the fast and fair resolution of all court cases filed in the counties. Family Court Services are provided in each county to promote early, non-adversarial, and effective resolution of all court cases involving your county's children and families. Courts statewide have also been evaluating more effective approaches for handling difficult court cases involving addicted or mentally ill defendants. All judges try to resolve cases within time standards adopted by the Idaho Courts, and have been keeping abreast of increasing caseloads through the cost-effective use of senior judges, traveling judges, and in the future, the use of video-conferencing of court proceedings to maximize the availability of judges where the workload is greatest.

The Courts also always promote excellence in service, providing comprehensive training for judges, elected clerks of the district court, deputy court clerks, and all county employees with court responsibilities. Electronic resources are available to you by accessing the Clerk of the District Court Manual on the county server. The Court also sponsors multi-disciplinary training institutes on court cases involving children and families, substance abuse, mental health, domestic violence, and other significant concerns confronting your county and the courts.

To increase the public's trust and confidence in Idaho Courts, judges and counties statewide have been evaluating the effectiveness of community-based alternatives for juvenile offenders, such as youth courts, truancy courts, drug and mental health courts, status offender programs, and community accountability boards. Many of the counties have been expanding the capacity of drug courts, mental health courts, and other problem-solving courts, and continue to evaluate their effectiveness. To date, 44 drug courts and mental health courts are operating across the state. The counties and courts work closely together to update existing court security and emergency plans, including a coordinated response with appropriate governmental entities.

The courts and counties also work closely to increase the public's awareness of the importance of the jury system and participation of the public in that system.



State and County Court Budgets

Idaho courts are funded by both the state of Idaho and each of the 44 counties. The State of Idaho is responsible, by statute, to fund judges' salaries, court reporters, Trial Court Administrators, and Supreme Court personnel, including the Administrative Director of the Courts and other court personnel. The Idaho legislature also funds senior judges, ISTARs, and judges' training and travel. Further, a state drug and mental health court dedicated fund has been established by the legislature to assist the counties in funding drug courts, mental health courts, family court services, and court assistance services.

Pursuant to Idaho Code § 1-1613, Idaho counties provide suitable and adequate facilities for the district court, including the facilities and equipment necessary for its intended use, for the staff, personnel, supplies, and other expenses of the district court.

Distribution of Fines, Fees, and Forfeitures

Fines, fees, and forfeitures on all court cases are distributed to each county, city, the State of Idaho, and other entities pursuant to a complex statutory scheme approved over time by the Idaho legislature (I.C. § 19-4705).

Relationship of Trial Court Operational Cost Burden to Receipt of Revenue (County Fiscal Year 2005*)

	How Much they Pay	How Much They Receive	Actual Cost
State	\$18,561,772	\$17,453,310	\$1,108,462
Counties	\$61,261,085	\$14,917,347	\$46,343,738
Cities	\$800,000	\$6,370,787	(\$5,570,787)

* County FY05 = October 1, 2004 – September 30, 2005

* State FY05 = July 1 2004 – June 30, 2005

The Clerks of the District Court track the collection of all monies due the district court and counties through the use of ISTARs. While collection rates vary depending on the type of case, court clerks make every effort to collect 100% of the amounts due.

Additional information on court costs, fines, and revenues is available on the Court's website or by asking the elected clerk or Trial Court Administrator.

For additional information, contact:

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