

SUMMARY STATEMENT

Joki v. State, Docket No. 43907

In an appeal arising out of Ada County, the Idaho Supreme Court affirmed the district court's dismissal of the State of Idaho, the Idaho State Legislature, the Idaho State Board of Education, and the Superintendent of Public Instruction (collectively, the "State Defendants"). On appeal, Russell Joki ("Joki") argued: (1) the State Board of Education and the Superintendent of Public Instruction have "direct influence, coordination, command, supervision, and evaluation of local school district superintendents and boards of trustees" and, therefore, were proper defendants in this case and should not have been dismissed; (2) the State of Idaho and the Legislature were proper defendants in this case and should not have been dismissed; (3) the Constitutionally Based Educational Claims Act, Idaho Code section 6-2201–2216 (the "CBECA"), should not have been applied to a case of this nature; and (4) the trial court erred in failing to award attorney's fees to Joki.

The Idaho Supreme Court held on appeal that: (1) the district court did not err in dismissing the State Defendants because Joki did not obtain authorization from the district court to add the State Defendants as required by Idaho Code section 6-2205(3); (2) Joki's claim fell squarely within the definition of a constitutionally based educational claim because the legislature's duty is to provide free common schools; and (3) Joki was not entitled to attorney's fees at the district court level, nor was he entitled to attorney's fees on appeal.