

SUMMARY STATEMENT

Inclusion, Inc. v. Idaho Department of Health & Welfare

Docket No. 42245

The Idaho Supreme Court vacated the Ada County district court's award of attorney fees to the Idaho Department of Health and Welfare (IDHW) under Idaho Code section 12-120(3). The district court found that IDHW's requested award for \$74,925.00 was based on a reasonable amount of hours and a reasonable hourly rate. The district court, however, awarded only \$30,857.11, attempting to approximate the amount billed by the Attorney General. The Court held that the district court erred by rejecting IDHW's requested award. Because Idaho Code section 12-120(3) authorizes awards of reasonable attorney fees, the Court held that the district court erred by attempting to base the award on the actual amount billed by the Attorney General. Accordingly, the Court vacated the district court's award and granted IDHW's requested award in full.