

February 28, 2022

The Honorable Brad Little
Governor of the State of Idaho

Senator Chuck Winder
President Pro Tempore, Idaho Senate

Representative Scott Bedke
Speaker of the House, Idaho House of Representatives

Dear Governor Little, President Pro Tempore Winder, and Speaker of the House Bedke:

I write today to request assistance with forming a committee to assess and review membership and processes utilized by the Idaho Judicial Council and to help address recruitment issues faced by the judiciary. Throughout Idaho's history, thoughtful and deliberative processes have been employed to consider, propose, and adopt changes which impact the makeup and functioning of the courts.

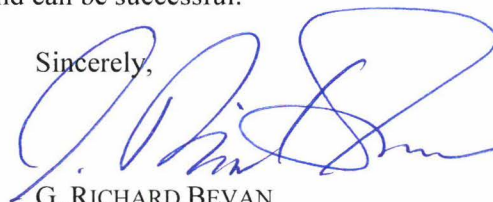
Following calls for reform, during the 1960s a series of changes to Idaho's judicial system occurred. These were the result of study, collaboration, and public input. Members of the legislature formed and participated in the Committee on the Courts, a committee which included advisors from the judiciary and legal community. Prior to finalizing its report, the committee also held public meetings in various cities throughout Idaho to ensure that interested citizens could offer input on proposed changes. Notably, the constitutional amendments and statutes that created the Idaho Judicial Council in 1967 resulted from recommendations proposed by this broad-based and citizen-responsive Committee on the Courts.

Today, members of the public, the Bar and the Court have raised new concerns. In order to address these concerns, the Court proposes all three branches of government participate in a committee through which a thoughtful and deliberative process can be employed to study the issues, collect available data, receive public input on proposed solutions, and avoid any unforeseen or unintended consequences which could be caused by rushed proposals. My fellow justices support a comprehensive study of judicial recruitment, including the Judicial Council processes, so we can identify all issues and a complete set of solutions. We want to avoid piecemeal changes, which could inadvertently create unintended consequences on our recruitment and judicial selection process.

In order to begin this effort, I ask that you each provide two nominations for membership on this committee. In addition, we intend to appoint two members of the public, two members of the Idaho State Bar, a District Judge, and a Magistrate Judge. The Court would additionally provide administrative support for the committee through the Administrative Office of Courts.

It has been recognized, "[s]ince territorial days, one of the traditions of the Idaho judiciary was a willingness to change to meet the needs of the times." Thomas A. Miller, Idaho Law Foundation, Justice for the Times, p. 156 (edited by Carl F. Bianchi (1990)). It is once again time to thoughtfully consider changes. I look forward to working with you to advance those that are informed and can be successful.

Sincerely,



G. RICHARD BEVAN
Chief Justice