

Introduction to Idaho's Judicial Branch



Attachment 1

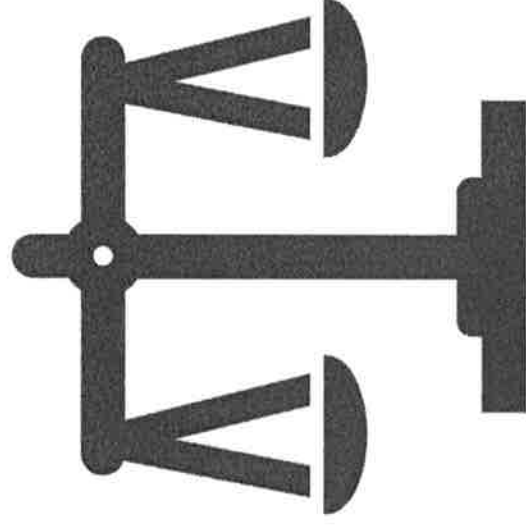
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Idaho Constitution

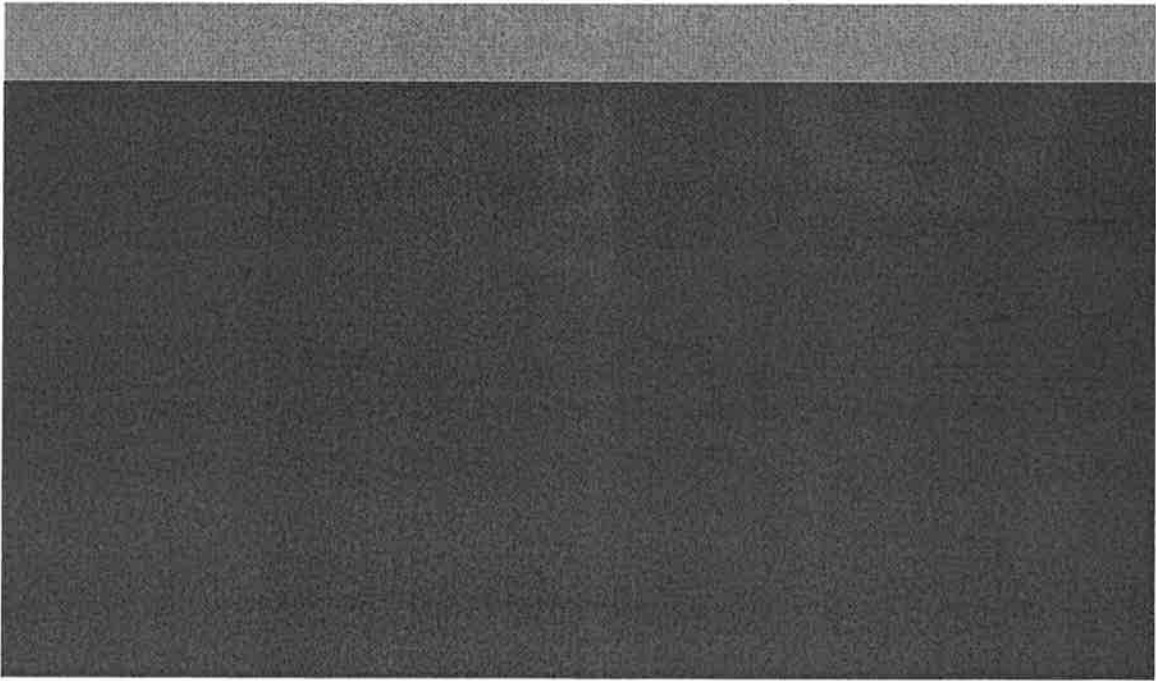
Article V, § 2

The judicial power of the state shall be vested in a court for the trial of impeachments, a Supreme Court, district courts, and such other courts inferior to the Supreme Court as established by the legislature....

The courts shall constitute a unified and integrated judicial system for administration and supervision by the Supreme Court....



Adjudication



Idaho Supreme Court

Art. V, § 6

- Five Justices, with a majority making a quorum for opinions
- The Justices are elected in statewide elections to a six-year term
 - If a vacancy occurs there is an appointment process in which the Idaho Judicial Council accepts applications, interviews candidates, and sends the Governor two to four names to choose from.
- The Chief Justice is elected by majority vote of the justices for a four year term. He is the executive head of the judicial system.

Supreme
Court
Jurisdiction

Art. V, §9

Original jurisdiction:

to issue writs of mandamus, certiorari, prohibition, and habeas corpus, and all writs necessary or proper to the complete exercise of its appellate jurisdiction.

Appellate Jurisdiction:

- any decision of the district courts, or the judges thereof,
- any order of the public utilities commission,
- any order of the industrial accident board,
- and any plan proposed by the commission for reapportionment created pursuant to section 2, article III;

Idaho Court of Appeals

I.C. §1-2406

Four Judges which sit in panels of three
Elected in statewide elections to a six-year
term

Vacancies filled the same way as Supreme
Court vacancies

Hears all cases assigned by the Supreme
Court

Cases which it cannot hear:

- Cases in which the Supreme Court has
original jurisdiction
- Capital cases
- Appeals from the Industrial
Commission
- Appeals from the Public Utilities
Commission

Idaho's District Courts

Number of judges per district is established by statute – Currently 45

Elected by electors of the district for a four-year term

Each district judge has resident chambers in a particular county as defined in statute and must actually reside in that county



District
Court
Jurisdiction

I.C. §1-705

Original Jurisdiction:

- All cases and proceedings
 - Typically all civil cases over \$10,000 and all felony criminal cases
- In the issuance of writs of mandamus, certiorari, prohibition, habeas corpus and all writs necessary to the exercise of its powers.

Appellate Jurisdiction:

- All cases assigned to magistrate's division of the district court; and to all other matters and cases wherein appeal is allowed by law.

Magistrate Division of the District Courts

Each county has a magistrate's division of the district court

Number of magistrates is determined by available funding – currently 93

Magistrates are appointed by the district's Magistrate Commission:

- County Commissioner from each county
- Mayors of three municipalities
- Two qualified electors
- Administrative District Judge
- Two attorneys
- One magistrate

Magistrates are subject to removal by a majority vote of the commission during the first eighteen months in office.

After the first eighteen months, magistrates are subject to a retention election by electors in their county every four years.

Magistrate Division Assignments

Types of cases typically assigned to magistrates:

- When damages or value of property at issue does not exceed \$10,000
- Probate of wills or administration of estates
- Misdemeanor and infractions
- Proceedings for warrants of arrest or search and seizure
- Preliminary hearings to determine probable cause in felony cases
- Family law – divorce, adoption
- Hospitalization of the mentally ill
- Proceedings under the Child Protection Act or Juvenile Corrections Act

Problem Solving Courts



Problem solving courts focus on **high risk, high need** individuals at risk of incarceration or the loss of parental rights.

Teams utilize **treatment, supervision, and accountability** to address behavioral health issues facing participants.

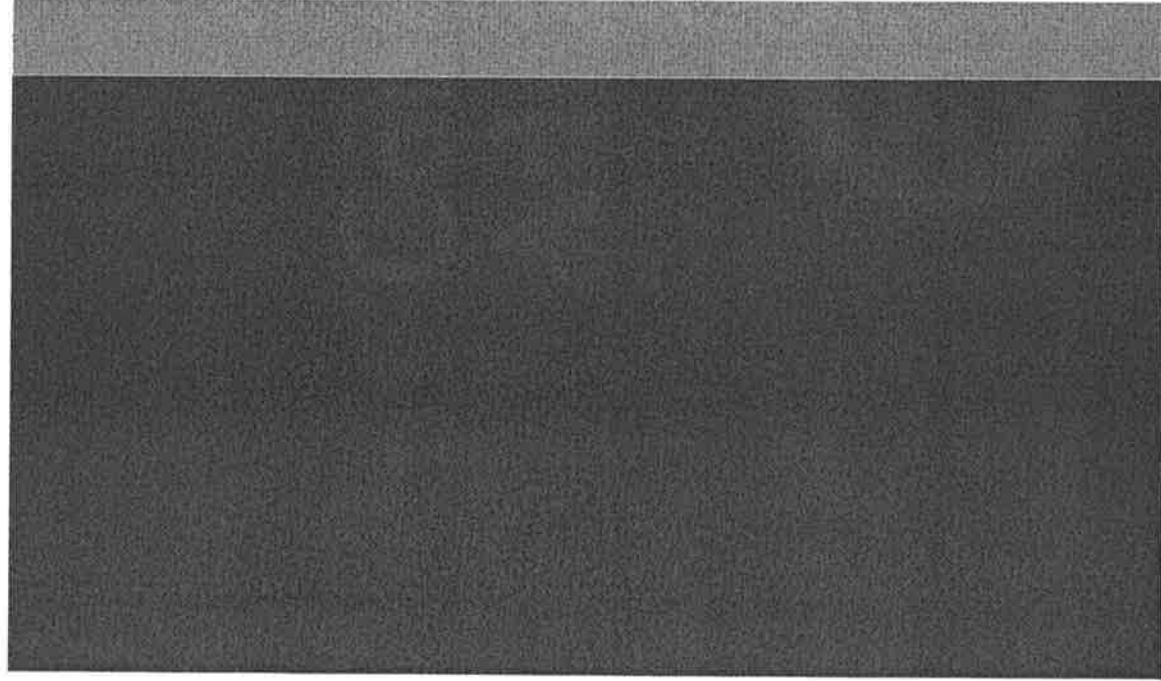
Exist in 34 Counties
62 Judges presiding

Types of Courts In Idaho:

30 Felony Drug Courts
12 Adult Mental Health Courts
2 Juvenile Mental Health Courts
5 Misdemeanor / DUI Courts
7 DUI Courts
5 Juvenile Drug Courts
6 Veterans' Treatment Courts
1 Domestic Violence Drug Court
1 Young Adult Drug Court
2 Child Protection Drug Courts



Court Administration



Administrative Office of the Courts

Administrative Director of
the Courts

Created by statute to
support the Idaho Supreme
Court in completing its
administrative duties

Appointed by the Supreme
Court and serve at the
Court's pleasure

- Court Management Division
 - Business Processes
 - Court Records Access
 - Data and Reporting
 - Education
- Finance and Operations Division
- Human Resources Division
- Information Division
- Justice Services Division
 - Problem Solving Courts
 - Children and Families in the Courts
- Legal Services

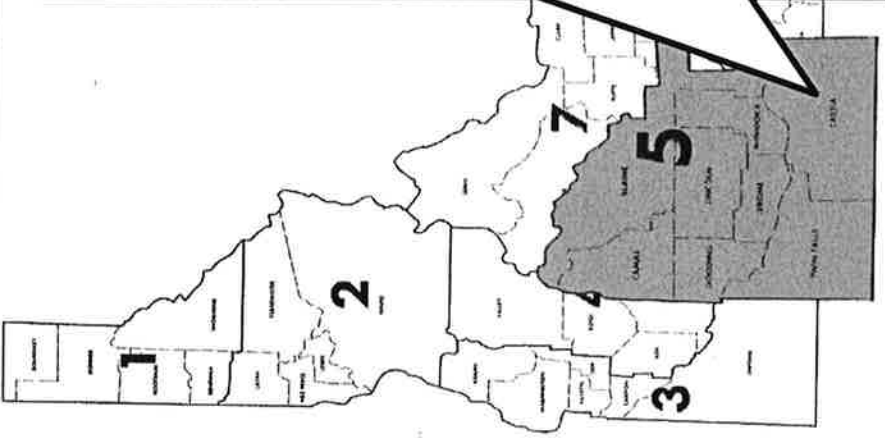


Administrative District Judge

- Elected by the District Judges of the district for a three year term
- Has administrative supervision and authority over the operation of the district courts and magistrates in the district
- Duties Include:
 - Arranging schedules and assigning judges
 - Supervising Calendars
 - Supervising clerks
 - Assigning matters to magistrates
 - Prescribing times and places at which magistrates shall be available
 - Arranging for the drawing of juries
 - Acting as chairman of the district Magistrate Commission
 - Appointing personnel to attend to the courts



Example: Idaho's 5th Judicial District



Administrative District Judge
Trial Court Administrator
Supreme Court Employees
Court Reporters
District Managers
Guardianship Monitors
Elected Clerks
District Court Staff
Deputy Clerks
Judicial Assistants
Coordinators



Contact Information:

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