



# IDAHO JUDICIARY

Idaho Supreme Court  
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## Idaho Supreme Court FY2020 Budget Enhancement Requests

### **Court Reporter Compensation**

Since territorial days, Idaho has ensured its courts are “courts of record,” by requiring proceedings in the district courts to be documented. Thus, in Idaho’s district courts, court reporters are responsible for creating a verbatim transcript of all in-court proceedings. This ensures that both the public and Idaho’s appellate courts can review what is occurring in our courts. However, Idaho is experiencing a significant and persistent challenge in recruiting court reporters, especially in rural areas of the state. In order to address this challenge, the Court requests an increase in compensation for official court reporters as well as funds to compensate freelance court reporters’ travel and per diem. A request for funds of \$310,900 and \$29,600, respectively are requested from the General Fund.

### **Court Assistance Program Funding**

Article I, § 18 of the Idaho Constitution states that the courts of justice shall be open to every person. In order to help effectuate that mandate, Idaho’s Court Assistance Office (CAO) Program provides resources and information to those parties accessing Idaho’s courts without the assistance of an attorney. In 2017 alone, the program received over 53,000 requests for help through in-person visits, email, telephone calls, and video conferencing. Although initially focused on family court services, the program has expanded to help parties with many types of legal cases including small claims, landlord-tenant claims, and civil protection orders.

Because of the CAO Program’s initial focus on family court services, the program is currently funded through the Drug Court, Mental Health Court, Family Court Services fund. I.C. §1-1625 indicates the primary purposes of that fund are to support problem solving courts and various family court services. A significant goal of the Court is to free up monies in this dedicated fund to further support the critical needs existing in our problem solving courts and family court services including a quality assurance program, drug testing and treatment, direct family services, and on-going operations costs for court coordination. In recognition of the CAO program’s critical role in providing an invaluable service to many who are in need of access to the courts in many types of cases, not simply in family court services, the program is more appropriately funded through the General Fund. A funding shift to the General Fund of \$634,240 is requested.

### **Judicial Change in Employee Compensation**

A 1% placeholder for a judicial CEC is included consistent with that included for other state employees. 1% of current judicial salaries results in a \$262,763 General Fund Request.

**Additional Judicial Resources**

A new District Judge and Court Reporter in the 4th Judicial District, as well as two new Magistrate Judges in the 4th Judicial District are requested; budgeted for 9 months the first year, \$253,800, \$66,800, and \$261,500, respectively, are requested from the General Fund.

**Senior Financial Analyst**

Although the expectations and responsibilities of the Court's financial division have increased over the past ten years, the resources to meet those obligations have not. A financial accounting specialist would be a new full-time position in the Finance & Operations Division of the Administrative Office of the Courts. This is not an Odyssey related position, but rather is necessary to address the significant increase in responsibilities handled by the Finance Division in other program areas. A General Fund request of \$109,500 is included in the Court's budget request.

**Research and Evaluation Analyst**

As Idaho moves toward more researched and data supported solutions the Idaho judiciary is directing resources towards validated reporting of data to support its administrative decision making. A Research and Evaluation Analyst is requested to provide focused evaluation and analytical support in the area of civil case types such as child protection, domestic violence, guardianship and conservatorship, family and juvenile proceedings. This request is for a full-time position in the Court Management Division including \$99,800 in funding from the General Fund.

**Access to the Courts — Contract A.D.A. Specialist**

This represents a continuation of a multi-year project designed to provide support for Idaho's courts and counties as they address access to the courts issues involving the Americans with Disabilities Act. This funding provides for contract services from an ADA expert who evaluates court facilities for compliance and provides technical support to counties when they are audited by the Department of Justice. The request is for \$34,000 from the General Fund.

**Court Education Specialist**

A Court Education Specialist is requested to assist in the wide variety of training and education the Court must provide to Court Clerks and Judges. This request is for \$101,900 in personnel funding for a full-time Court Education Specialist position, as well as \$92,600 in operating funds to support the related educational programming, both from the General Fund.

**Transfer of Treatment Funding**

Historically, a portion of General Funds appropriated to the Idaho Department of Health and Welfare for substance abuse disorder services has been used to provide services to misdemeanor problem solving court and domestic violence court participants. This appropriation has been received and managed by the Division of Behavioral Health. Currently, the Court pays invoices from treatment providers and in turn seeks reimbursement from IDHW through an interagency billing process. In conjunction with IDHW, the Court is requesting that the \$735,000 from the General Fund be directly appropriated to the Court to eliminate the need for unnecessary steps in the process.



### Mission Statement of the Idaho Courts

*As the Third Branch  
of Government, we  
provide access to  
justice by ensuring  
fair processes and  
the timely, impartial  
resolution of cases.*

*The Idaho Judiciary  
Stands For:*

*Integrity  
Fairness  
Independence  
Respect  
Excellence  
Innovation*

*The Idaho Judiciary  
Strives To:*

*Provide Timely,  
Impartial Case  
Resolution Through  
Legally Fair  
Procedures*

*Ensure Access to  
Justice*

*Promote Effective,  
Innovative Services*

*Increase Public  
Trust and  
Confidence In  
Idaho's Courts*

### Lengthy Trial Juror Compensation

Section 3 of HB 586 (2018) established a new I.C. § 2-222, with an effective date of July 1, 2018. This new code section provides a mechanism for the Idaho Supreme Court, through funds appropriated specifically for this purpose, to reimburse counties a portion of the costs associated with jury service in trials that exceed five days. The Statement of Purpose estimated an annual general fund appropriation of \$75,000 would be necessary to fund the expected reimbursements. Although counties may apply for reimbursement after September 30, 2018, for costs incurred during county fiscal year 2018, the 2018 legislature did not provide a state fiscal year 2019 appropriation to the Idaho Supreme Court to fund any reimbursements.

To address the need to fund reimbursements to the counties for costs incurred during county fiscal year 2018, the Court is requesting a one-time appropriation of \$75,000 to be distributed during state fiscal year 2020, to be distributed in July of 2019. In addition, the Court is seeking an ongoing annual appropriation of \$75,000 for county reimbursements for county fiscal year 2019 and future years. These two components represent a total request of \$150,000 for the State FY 2020.

### Guardian Ad Litem Grants

The Idaho Supreme Court, by way of I.C. § 16-1602(22), is the grant administrator authorized and directed to award and administer grants to the 501(c)(3) organizations providing Guardian Ad Litem services. As such, the Court is reporting the appropriation requests it received from the programs totaling \$70,000 in General Funds.

For the FY 2020 budget year, the GAL/CASA program in the 4th Judicial District is requesting an appropriation to hire a full-time Advocate Coordinator, as well as funds to provide contracted interpreter services. The Advocate Coordinator would not be a state position, but rather a position hired by the GAL/CASA program.

For the FY 2020 budget year, the GAL/CASA program in the 6th Judicial District is requesting an appropriation to support training to current and new volunteer attorneys to better understand the area of child protection, specifically centered on their role with the GAL/CASA program.

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