

State of the Judiciary
Chief Justice Roger S. Burdick, Idaho Supreme Court
Written Message
2011

Message from the New Chief Justice

It is a great honor to serve as Chief Justice of the Idaho Supreme Court and I thank my colleagues for their unanimous vote of confidence. I know that any success I have had as a judge has been as a direct result of the talented, capable people I have been privileged to work with over a long period of time. I include in that number elected and appointed clerks and court personnel, lawyers who have always been willing to work with me to attempt to solve problems for people and, of course, the law clerks over the years who have been critical to the work judges are able to perform.

My predecessor, Justice Eismann, did an outstanding job as Chief Justice and I plan to continue to promote his initiatives to expand problem-solving courts in Idaho and pursue advances in technology that help modernize court operations. I will maintain the Idaho Judiciary's tradition of independence in fashioning creative ways to solve Idaho's problems—from volunteering work days to help address the budget crisis to working collaboratively with other branches of government to protect society and ensure the well-being of Idaho's children and families.

Independence is one of the great strengths of Idaho's Judiciary – independence in shaping solutions based upon Idaho's needs, constraints, and the use of best practices, as well as consistent decision-making grounded in existing statutes and case law, enabling Idahoans to plan for their professional and private lives.

In an effort to ensure that this tradition of independence and innovation is at the forefront of everything we do as a public institution, the Idaho Judiciary recently renewed its mission statement and goals and adopted six values that reflect our priorities and our commitment. The following was adopted by the Idaho Supreme Court on October 31, 2011:

MISSION STATEMENT OF THE IDAHO COURTS

As the Third Branch of Government, we provide access to justice through the timely, fair, and impartial resolution of cases.

VALUES OF THE IDAHO COURTS

Integrity	Independence	Excellence
Fairness	Respect	Innovation

STRATEGIC GOALS AND MAJOR OBJECTIVES OF THE IDAHO COURTS

I. Provide timely, fair, and impartial case resolution

- Advance justice by resolving cases as early as possible, while guaranteeing the rights of the parties.

- Resolve cases involving children and families through the combined efforts of the courts, the family, and community services in ways that are least adversarial and intrusive.
 - Improve the safety and well-being of children and families involved in child protection cases.
- II. Ensure Access to Justice**
- Strengthen and expand both Court Assistance Office services and options for legal representation for persons of limited means while increasing the public’s awareness of these services.
 - Enhance the ability to efficiently conduct court business by developing technologies, especially electronic filing of all court documents.
- III. Promote Effective, Innovative Services**
- Assure the highest level of service by recruiting highly-qualified judges and court personnel and advancing their professional development through educational opportunities.
 - Enhance court programs and services by actively working with the legislative and executive branches of state government, counties, cities, and stakeholders to foster the necessary resources to meet the evolving needs of Idahoans.
 - Provide long-term resolution of cases through effective application of the principles of problem-solving justice.
- IV. Increase Public Trust and Confidence in Idaho Courts**
- Protect communities, reduce recidivism, and hold offenders accountable through evidence-based sentencing practices.
 - Increase awareness of the importance of the jury system—as well as the public’s participation in that system—and develop strategies to improve jury service and appreciation.

Advancing Justice for All Idahoans

The core mission of the Idaho Judiciary is to provide equal access to every person, a speedy remedy for every injury, and to ensure that justice is administered without delay or prejudice. These primary functions are deeply rooted in both history and law, [. . .] their place in Idaho’s Constitution at Article I, Sec. 18, adopted in 1889.

A too common criticism of courts across the nation is that court cases “take too long and cost too much.” Justice delayed is often equated to justice denied. Whether true in Idaho or not, the Idaho Judiciary has responded to this criticism with an open ended, “top to bottom” systems review, which entails asking every judge in each county, and all court personnel and county officers across the state for new ideas on how to better provide timely justice. One of the primary components of this review is a critical evaluation of the current timeframes for processing various case types from filing to case closure, along with an assessment of how judges manage their ever increasingly demanding caseloads. From family law cases to problem solving courts, complex multi-party civil litigation to small claims, and felonies to infractions, all processes of case management are under close review. This significant undertaking has been branded *Advancing Justice*.

Advancing Justice is about the fundamental commitment of the Idaho Judiciary to provide timely justice to all by searching for unnecessary delay, then developing processes to prevent

such delay from re-occurring, all the while being vigilant to protect the individual rights of litigants, victims, and other affected persons. *Advancing Justice* is not about speed just for the sake of speed. It is well understood that some cases take longer to resolve than others. However, the result of removing unnecessary delays and unnecessary costs, will be fair, economic, and timely justice.

To this end, the commitment of the Idaho Judiciary to case resolution and the removal of unnecessary delay is evidenced by the following:

- *Advancing Justice priorities have been adopted in the Idaho Supreme Court's Mission Statement and Goals.*
- The educational curriculum on proven case management principles and practices for Idaho trial judges has been significantly enhanced, and the case management curriculum for new judges is being expanded and updated.
- Strong judicial leadership is being used to implement proven case management principles and practices in every court in every judicial district in this state.
- All Idaho trial judges were recently asked what is working well, which best practices are being used and what are the primary sources of delay in resolving cases. The information gleaned was critically evaluated, revisions and new practices are being implemented, and strategies to sustain the momentum are being developed.
- A technology review is underway to ensure the proper statistical data is being collected, that it is accurate, and that each judge and court administrator timely receives the necessary reports detailing the adopted performance measures for each judge, together with the tracking of each individual case as it is processed through our trial courts.

While the Idaho Judiciary has long been recognized nationally as both a leader and an innovator in the timely processing of cases in its trial courts, it is the belief and dedication of Idaho judges, individually and collectively, that they can strive to do even better.

Appreciating that Idaho's Judiciary is funded by public dollars and the very tough economic times in Idaho are not yet over, Idaho's Judges, court staffs, and all other judicial branch employees are dedicated to *Advancing Justice* by resolving cases as early as reasonably possible, while guaranteeing the individual rights of parties, victims, and other affected persons. Timely justice is justice for Idaho.