

MINUTES

HOUSE JUDICIARY, RULES & ADMINISTRATION COMMITTEE

DATE: Tuesday, February 01, 2022

TIME: 1:30 P.M.

PLACE: Room EW42

MEMBERS: Chairman Chaney, Vice Chairman Hartgen, Representatives Kerby, Amador, Ehardt, Scott, Marshall, Troy, Young, Nate, Cannon, Erickson (Powell), Skaug, Gannon, McCrostie, Ruchti, Nash

**ABSENT/
EXCUSED:** Rep. Ehardt, Nash.

GUESTS: The sign-in sheet will be retained with the minutes in the committee secretary's office; following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Chaney called the meeting to order at 1:30 p.m.

Juneal Kerrick, Senior District Judge, gave a District Judge update and introduced herself and the judges who would be presenting: **Judge Hippler**, **Judge Watkins**, and **Judge Burdie**.

Steven Hippler, Administrative District Judge in the 4th Judicial District, discussed the need for additional judicial resources in the Fourth District. He explained that the Judiciary is requesting another judge in Elmore County and two magistrate judges in Ada County. The need for these extra resources stems from three main issues: population increase, increasing case loads and backlog, and impact on services to citizens. Judge Hippler reported the increasing caseloads and backlog were primarily COVID-related. He shared information about treatment courts, which are expanding and discussed the improved income opportunities graduates of these courts are experiencing. He spoke about the increased caseloads in drug courts.

Judge Hippler further discussed the magistrate judges in Boise and the very specific caseloads they carry. They have very little time off the bench to produce written reports connected to trials. Their calendar providing services to the community is very heavy, and it includes: warrant court, civil protection orders, domestic violence court, vertical representation, agency-specific dockets, and jail sweeps. He ended by asking the committee to help avoid judicial burnout.

Committee members voiced concern about the court backlog and the impact on the constitutional right to speedy trials. They also worried about the considerable impact on the civil side due to the backlog.

Dane Watkins Jr., Administrative District Judge in the 7th Judicial District described the roles of the trial court administrators. Their duties include: connections with each independent County with the Court, overseeing court recordings (video and court reporters), overseeing the budget, judge retirements, new judge placements, training of new judges, schedules and placing of judges, oversees staffing in specialty courts, organizing journalists covering in hearings of interest, providing training to elected clerks, issuing orders regarding the pandemic, ADA accommodations, facility demands, creating reports that reflect the Court's activity, required travel across the state and holding public meetings. He mentioned that these demands have increased significantly in the past few years.

Jeff Brudie, Senior District Judge and Executive Director of the Idaho Judicial Council discussed the challenges of District Judge recruitment. He addressed the problems connected to judicial vacancies, and concerns about the depth of the potential workforce. He explained that applications for vacancies are lower than normal, especially in more rural areas. He suspected that the requirement that magistrate and trial court judges stand for elections could be affecting interest in these positions.

Alex Adams, Administrator of the Division of Financial Management discussed the Governor's recommendation for American Rescue Plan Act (ARPA) funds. He explained Idaho received lower ARPA funds per capita than many other states. ARPA funds came in three ways, direct support to businesses and individuals, direct funds to state agencies and discretionary funds to state and local governments. His presentation covered the discretionary funds to the state governments, which were broken down into public safety issues. These issues included: improvements to the Idaho Department of Correction (IDOC) Lagoon, IDOC Covid-19 Expenses, extradition transportation costs, and the domestic violence bridge funding.

Mr. Adams also reported on the Governor's Permanent Building Fund. These funds are recommended to be drawn from the General Fund surplus. Monies from this fund would go to the Pocatello Reentry Center, the Medical Annex, the Women's Facility, the Forensics Lab and the new POST dormitory. By paying for these facilities upfront, the state will avoid \$69 million in debt service. It is also estimated that the state will save \$90.4 million through fiscal year 2030 by bringing people back from out-of-state private prisons.

Rep. Syme, discussed the opportunity to visit POST to see what needs to be done there. He also further clarified some details on tearing out and rebuilding the IDOC's Lagoon.

In explanation to committee questions, **Rep. Syme**, explained the items listed in the proposed funds were priorities the director of IDOC requested.

Jared Larson, the Governor's Counsel and Criminal Justice Policy Advisor, responding to committee questions, confirmed that out-of-state contracts to hold Idaho inmates can be terminated at any time.

Christine Otto, LSO Senior Budget and Policy Analyst confirmed that **Mr. Adams** covered most of her comments on the ARPA fund recommendations.

Responding to committee questions, **Mr. Adams**, noted that the new prison would be built in three years. He shared, the director's intention is to bring everyone back this calendar year and work with counties to provide extra beds until new facilities are built. The new prison facility will accommodate the entire out-of-state population and allow for a little extra space. Mr. Adams acknowledged that each of the projects discussed had been discussed by state legislators and agencies for years.

Chairman Chaney explained that there are no action items on today's agenda, but his intention is to bring these proposals one by one to be voted on by the committee on a future date.

ADJOURN:

There being no further business to come before the Committee the meeting adjourned at 3:04 p.m.

Representative Chaney
Chair

Andrea Blades
Secretary