

IN THE SENATE

SENATE BILL NO. 1108

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO SALARIES OF JUDGES; AMENDING SECTION 1-201, IDAHO CODE, TO IN-
2 CREASE A CERTAIN SALARY AMOUNT RECEIVED BY THE CHIEF JUSTICE OF THE
3 SUPREME COURT; AMENDING SECTION 1-703, IDAHO CODE, TO INCREASE A CER-
4 TAIN ANNUAL SALARY AMOUNT RECEIVED BY THE ADMINISTRATIVE JUDGE; AMEND-
5 ING SECTION 1-2408, IDAHO CODE, TO INCREASE A CERTAIN ANNUAL SALARY
6 AMOUNT RECEIVED BY THE CHIEF JUDGE OF THE COURT OF APPEALS; AND AMENDING
7 SECTION 59-502, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE AND TO REVISE
8 PROVISIONS RELATING TO SALARIES OF JUDGES.
9

10 Be It Enacted by the Legislature of the State of Idaho:

11 SECTION 1. That Section 1-201, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 1-201. CONSTITUTION OF COURT. The supreme court consists of five (5)
14 justices, a majority of whom shall be necessary to make a quorum or pronounce
15 a decision. The justices of the supreme court shall be elected by the elec-
16 tors of the state at large. The terms of office of said justices shall be
17 six (6) years. The chief justice shall receive an annual salary in an amount
18 of ~~two~~ three thousand dollars (\$23,000) greater than the annual salary of
19 the justices of the supreme court to compensate for the additional constitu-
20 tional and statutory duties of the office.

21 SECTION 2. That Section 1-703, Idaho Code, be, and the same is hereby
22 amended to read as follows:

23 1-703. JURISDICTION OF JUDGES WHERE MORE THAN ONE -- ADMINISTRATIVE
24 JUDGE. Where there is more than one (1) judge in any district, the jurisdic-
25 tion of the respective judges of said district shall be equal and coextensive
26 with the boundaries of the district. In each judicial district there shall
27 be an administrative judge elected by a majority of the district judges
28 within the district to serve for a period of time as provided by rules of the
29 Idaho supreme court. In the event a majority of the district judges cannot
30 agree as to who shall be the administrative judge, then the appointment of
31 the administrative judge shall be by a majority of the Idaho supreme court
32 justices for a period of time as provided by rules of the Idaho supreme court.
33 The administrative judge is hereby granted all powers and duties heretofore
34 or hereafter granted to the senior district judge, and the administrative
35 judge shall apportion the business of such district among such judges as
36 equally as may be, but any judge shall have full power to hold terms of court,
37 transact judicial business, make orders, grant or refuse writs and generally
38 exercise all the powers of a district judge without the concurrence of the
39 other judge or judges. The administrative judge shall receive an annual
40 salary in an amount of ~~two~~ three thousand dollars (\$23,000) greater than the

1 annual salary of a district judge to compensate for the additional duties of
2 the office.

3 SECTION 3. That Section 1-2408, Idaho Code, be, and the same is hereby
4 amended to read as follows:

5 1-2408. CHIEF JUDGE. The chief justice of the supreme court shall ap-
6 point a chief judge of the court of appeals for a term of two (2) years or such
7 shorter period as may be determined by the chief justice. The chief judge
8 shall exercise such administrative powers as may be delegated by the full
9 membership of the court of appeals, not in conflict with supreme court rules.
10 The chief judge shall receive an annual salary in an amount of ~~two~~ three thou-
11 sand dollars (\$~~23~~,000) greater than the annual salary of a judge of the court
12 of appeals to compensate for the additional duties of the office.

13 SECTION 4. That Section 59-502, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 59-502. SALARIES OF JUDGES. (1) ~~Commencing on July 1, 2014, the salary~~
16 ~~of the justices of the supreme court shall be one hundred thirty-five thou-~~
17 ~~sand dollars (\$135,000) per annum.~~ Commencing on July 1, 20167, the salary
18 of the justices of the supreme court shall be one hundred forty-six thousand
19 seven hundred dollars (~~\$140,000~~ 146,700) per annum.

20 (2) ~~Commencing on July 1, 2014, judges of the court of appeals shall re-~~
21 ~~ceive an annual salary in an amount of five thousand dollars (\$5,000) less~~
22 ~~than the annual salary of a supreme court justice.~~ Commencing on July 1,
23 20167, judges of the court of appeals shall receive an annual salary in an
24 amount of ~~ten~~ nine thousand dollars (~~\$109,000~~) less than the annual salary of
25 a supreme court justice.

26 (3) ~~Commencing on July 1, 2014, district judges shall receive an annual~~
27 ~~salary in an amount of six thousand dollars (\$6,000) less than the annual~~
28 ~~salary of a judge of the court of appeals.~~ Commencing on July 1, 20167, dis-
29 trict judges shall receive an annual salary in an amount of ~~one~~ six thousand
30 five hundred dollars (~~\$1,500~~ 6,000) less than the annual salary of a judge of
31 the court of appeals.

32 (4) Commencing on July 1, 20147, magistrate judges shall receive an an-
33 nual salary in an amount of twelve thousand dollars (\$12,000) less than the
34 annual salary of a district judge.

35 (5) Salaries shall be paid on regular pay periods not less frequently
36 than monthly as determined by order of the supreme court as due out of the
37 state treasury, but no justice of the supreme court or judge of the district
38 court or magistrate shall be paid his salary, or any part thereof, unless he
39 shall first take and subscribe an oath that there is not in his hands any mat-
40 ter in controversy not decided by him, which has been finally submitted for
41 his consideration and determination thirty (30) days prior to his taking and
42 subscribing said oath.