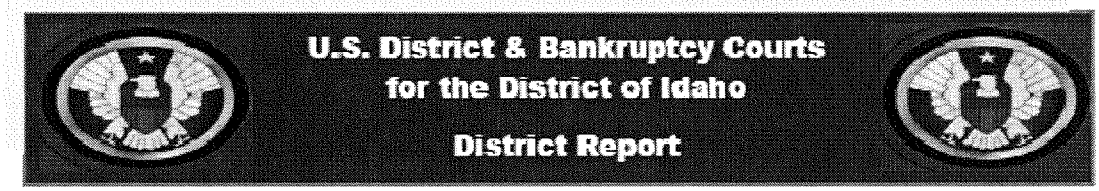
District of Idaho



Lawyer Representatives Our District has three Lawyer Representatives to the Ninth Circuit Conference: Barry McHugh, Steven B. Andersen and Alan Stephens. Former Idaho Lawyer Representative Debora Kristensen, is Vice Chair of the LRCC and in that role serves on the Ninth Circuit Judicial Conference Executive Committee. Larry Westberg was recently appointed as the Ninth Circuit Appellate Lawyer Representative for the District of Idaho.

Annual District Conference Program The District of Idaho has a longstanding and well regarded annual District Conference program. United States Magistrate Larry Boyle plays a leading role in conference planning and all District, Bankruptcy and Magistrate Judges and their staffs give generously of their time and talent in planning and presenting the conference each year. In addition, Idaho's Lawyer Representatives provide significant input and assist in planning and presenting the District Conference. The 2008 Annual District Conference / Federal Practice Program was presented at the Boise Centre on the Grove on Friday, November 7. The year's theme, "Celebrating our Constitution," was masterfully captured in the opening presentation by Ninth Circuit Court of Appeals Judge Stephen S. Trott. Also appearing was Loyola Law School Professor and Director of the Center for Ethical Advocacy, Laurie Levenson, whose presentation included a U.S. Supreme Court review. In addition, noted defense counsel, David Z. Nevin, spoke on the Rule of Law while Tim Hopkins enlightened everyone on evaluating nominees to the Federal Courts. An esteemed panel of legal minds discussed what "Judicial Independence" really means, while a Federal Judicial Panel addressed the "hot topics" in the Idaho courts. Chief U.S. Magistrate Judge Candy Wagahoff Dale shared her thoughts about insights gained while "lawyering," as well as perspectives concerning her new role on the Bench as a jurist.

Selection of Two New United States Magistrate Judges The year 2008 was a milestone year for the District of Idaho with the appointment of the first woman to the federal bench in the history of the District of Idaho. In late March 2008, Candy Wagahoff Dale assumed her duties as a U.S. Magistrate Judge, succeeding retiring U.S. Magistrate Judge Mikel H. Williams. In the Fall of 2008, Ronald E. Bush was appointed as U.S. Magistrate Judge to replace U.S. Magistrate Judge Larry M. Boyle. However, the District of Idaho will not lose the services nor the combined 46 years of judicial experience of Judges Boyle and Williams, since both will continue to actively serve in a Recalled status.

Pilot Drug Court Program (START) - A pilot Drug Court Re-Entry Program known as START (Success Through Assisted Recovery and Treatment), began in September 2008. The Program is aimed at assisting selected participants in the Probation & Pretrial Service's Supervised Release Program. Individuals who successfully complete this program could have the term of their supervision reduced by as much as a year. Magistrate Judge Mikel H. Williams has spearheaded the collective efforts to start this program. The Program's name captures the idea that its graduates will have a fresh start in life, while recognizing that, although the Court re-entry team is there to assist in their recovery with treatment and supervision, ultimately, it is their responsibility if they want to succeed. This Pilot Program began in Boise but is being implemented at divisional locations.

Community Outreach Grant Program The District of Idaho maintains an active community outreach grant program funded through attorney admission funds. The purpose of this program is to inure to the benefit of members of the bench and bar and the Federal Court in the administration of justice. Funding is available to any interested organization, association or group which seeks to meet the purpose of the outreach grants. Recipients for 2009 included: the 4-H Youth Government; the Idaho Pro Bono Commission and the 6th District Citizen's Law Academy. In addition, a small sum was given to the Ninth Judicial Circuit Historical Society in Pasadena, California.

Coeur d'Alene Federal Courthouse In January 2009, the Court moved into its' new Courthouse in Coeur d'Alene. The three-story structure, located in a forest-like setting off Highway 95, contains two full-size courtrooms and judges' chambers, a Grand Jury Room, Clerk's Office, and office for use by the U.S. Trustees, and ancillary space. It also houses Probation & Pretrial Services, the U.S. Marshals Service, and the U.S. Attorney's Office. The innovative use of curved hallways, the extensive amount of glass that captures both the natural light and warmth of the sun, automated solar window shades and variety of creative art pieces, including the 3-dimensional "We the People" excerpt from the Constitution, state-of-the-art automation, and video presentation systems, all combine to make this a truly unique example of modern courthouse architecture. The Idaho Legal History Society and the Margaret W. Reed Foundation were major contributors to a fund utilized for art work. The Art Committee, chaired by Lawyer Representative Barry McHugh, donated time and talent to select and install the art work for this new facility.

Federal and State Bar Joint Efforts Continuing with its long-standing close relationship with the State Judiciary and Idaho State Bar, the United States District Court for the District of Idaho continues to conduct twice yearly swearing-in ceremonies for newly admitted members of the Bar. In addition, the Annual State District Judge Training Program, held in January 2009, focused on Electronic Filing and the use of Technology to manage cases. The State and Federal Courts continue to work collaboratively on training and certifying Court Interpreters.

Annual CJA Conference On August 8 & 9 the Annual CJA Conference & Confabulation was held at the Boise Grove Hotel, jointly sponsored by the U.S. District Court and Federal Defenders Services of Idaho. The first day's theme was "Changing your Vantage Point" and included presentations on: The Ethical Dilemma of Ethics; How to Blow away the Government's Case with a little Razzle Dazzle; Lights, Camera, Action!; What Happened in Norfolk?; effectively Litigating Issues; News from the Ninth; and a Panel discussion, which included Chief District Judge B. Lynn Winmill, entitled, Putting on your Client - Does it Sink or Save the Case. The theme of the FDSI"s Capital Habeas Unit's Annual Death Penalty Conference, held on the second day, was "Winning Information" and included a variety of topics covered by a distinguished faculty which included: a Supreme Court update; a Team approach to Litigation and Mitigation; Mental Retardation; Eye Witness Identifications; and DNA for the Criminal Defense Practitioner.

Idaho Chapter, Federal Bar Association The District of Idaho has been instrumental in the formation and continued guidance of the Idaho Chapter of the Federal Bar Association. The Association has gained a national recognition and won a prestigious award for their outstanding Newsletter publication. The Idaho Chapter of the Federal Bar Association sponsored a series of Brown-Bag CLE Seminars at various federal courthouses throughout the state, on a wide variety of topics, including an ECF Best Practices program on the new District 3.1.1 version and a presentation on "Environmental Issues in the West."

I-CARE - The acronym I-CARE, which stands for Idaho Credit Abuse Resistance Education, is a local educational initiative spearheaded by Chief Bankruptcy Judge Terry L. Myers, which seeks to promote the wise and responsible use of credit by targeting and educating high school and college age individuals. The local program is an outgrowth of a nationwide effort begun by a Bankruptcy Judge in the Western District of New York.

The I-Care website allows volunteer presenters to access and utilize a vast array of existing resources and also makes it possible for schools, organizations and groups to submit presentation requests online. The website offers a series of helpful tips for the target audience on establishing credit, what to watch out for in obtaining a credit card, managing credit card debt, and monitoring credit reports.

Idaho Legal History Society The Idaho Legal History Society continues to play active role in the recognition and preservation of legal and judicial events throughout the illustrious history of this state. The creation of a very comprehensive and informative website over the past few years has been well received. The combined November/December 2008 issue of the *Advocate*, the Idaho State Bar Association's monthly member publication, was sponsored by the ILHS. During the past year, a list was compiled of about thirty oral interviews to be conducted throughout the year to preserve the history of lawyers and the legal community in Idaho. The Idaho Legal History Society also deserves to be commended for its efforts in promoting the Idaho Lincoln Bicentennial Exhibit, which contained some materials from the National Archives.

ADR and Prisoner Programs - In October 2008, the District of Idaho once again provided ADR Training for the Panel of Federal Court Authorized Mediators, who now number about sixty. The District Local Rules regarding ADR are currently in the process of being revised.

One of the new projects in the District of Idaho is a Pre-Answer Mediation Program that targets prisoner pro se cases. Under this pilot project, a mediator works directly with the Correctional Facility to assist in the settlement of prisoner complaints before the defendants are required to file an answer.