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[Ada County v. City of Garden City ex rel. Garden City Council](bondcasebriefs.com)

Supreme Court of Idaho, Boise, January 2014 Term - February 7, 2014 - P.3d - 2014 WL 497439

In 1994, an en banc panel of the district judges ordered Garden City and Meridian (the Cities) to provide suitable and adequate quarters for the magistrate's division of the Fourth Judicial District (1994 Order). In addition to providing quarters, the Cities were ordered to provide for the equipment, staff, supplies, and other expenses necessary for the quarters to function properly. The Cities never complied with the order. In 2010, Ada County brought a declaratory action asking the district judges to find that the 1994 Order was still valid and to require the Cities to comply with it. The Cities responded by filing a motion to vacate the 1994 Order, claiming that the order was invalid because it was entered on an ex parte basis.

The Supreme Court of Idaho held that:

- Challenge to procedural due process owed prior to entry of prior order did not present justiciable controversy, and
- County was not entitled to award of appellate attorney fees.

Prior order that required cities to provide suitable and adequate quarters for magistrate's division of District Court had not harmed cities, and therefore cities' request to have order declared invalid due to violation of procedural due process rights did not present a "justiciable controversy," where, although the prior order required the cities to provide quarters and facilities for the magistrate's division and the county had sought payment for their use of the county courthouse, in the almost 20 years since the entry of the order, the cities had not been required to pay one penny or to provide any quarters or facilities for a magistrate's division, and there was no plan, proposal, or schedule from any interested party regarding what the cities were required to do to comply with the order.