

SUPREME COURT OF IDAHO

Sanchez v. State of Idaho, Department of Correction, 143 Idaho 239

141 P.3d 1108 (2006) · No. No. 32266 · Decided August 8, 2006

SUMMARY

The Idaho Supreme Court held that the Idaho Personnel Commission lacked authority under the cited statutes and administrative rule to award attorney fees to a former Idaho Department of Correction employee. The court also held that Idaho Code section 67-5316(4) did not waive the state's sovereign immunity from prejudgment interest on back pay. The court reversed the district court and awarded costs on appeal to the Department of Correction.

CASE DETAILS

COURT	Supreme Court of Idaho
WRITING FOR THE COURT	Trout, Justice; Schroeder, Chief Justice; Burdick, Justice; Eismann, Justice; Jones, Justice
JURISDICTION	Idaho
DECIDED	August 8, 2006
DOCKET	No. 32266
DISPOSITION	reversed
PROCEDURAL POSTURE	The Idaho Department of Correction appealed from a district court decision reversing the Idaho Personnel Commission and remanding for an award of attorney fees, costs, and prejudgment interest to Sanchez.
STANDARD OF REVIEW	Under Idaho Code section 67-5318, the court reviews the Commission's decision for lack of substantial competent evidence, action without jurisdiction or in excess of its powers, or findings that do not support the decision as a matter of law. Legal issues, including statutory and regulatory interpretation, are reviewed freely.
PRECEDENTIAL VALUE	Published Idaho Supreme Court opinion; precedential.
PARTIES	State of Idaho, Department of Correction v. Kelly Sanchez

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Idaho Personnel Commission Rule 201 independently authorized the Commission to award attorney fees and costs.
2. Whether Idaho Code section 12-121 authorized the Commission to award attorney fees in the administrative proceeding.
3. Whether Idaho Code section 67-5316(4), authorizing reinstatement, back pay, or other appropriate remedies in wrongful-discharge cases, authorized attorney fees.
4. Whether Idaho Code section 67-5316(4) or Idaho Code section 28-22-104 overcame IDOC's sovereign immunity and authorized prejudgment interest on Sanchez's back pay.

HOLDINGS

1. Rule 201 was procedural בלבד and did not independently authorize an award of attorney fees or costs; such an award required a statutory or contractual basis.
2. Idaho Code section 12-121 did not authorize the Commission to award attorney fees because the proceeding was not a civil action commenced by filing a complaint.
3. Idaho Code section 67-5316(4) did not authorize an award of attorney fees against IDOC.
4. IDOC's sovereign immunity barred an award of prejudgment interest because Idaho Code section 67-5316(4) did not clearly and specifically waive immunity from interest, and Idaho Code section 28-22-104 did not overcome that immunity.

KEY QUOTATIONS

“Rule 201 is not an independent basis for a fee award, but only describes the procedure to be followed if there is a statutory basis for such an award.” (141 P.3d at 1112)

“In order for attorney fees to be awarded pursuant to a statute, the statute must clearly contemplate that particular remedy.” (141 P.3d at 1113)

“This language does not qualify as a clear waiver of sovereign immunity; therefore, we do not find a basis for an award of pre-judgment interest against IDOC.” (141 P.3d at 1114)

FACTUAL BACKGROUND

Kelly Sanchez was employed by the Idaho Department of Correction as a correctional officer. After an inmate alleged sexual misconduct, IDOC decided to transfer Sanchez from Pocatello to Boise; Sanchez refused the transfer and was dismissed. In later administrative proceedings, the hearing officer determined that the transfer was disciplinary and that Sanchez had been discharged without proper cause, awarding reinstatement and back pay. The remaining dispute concerned attorney fees, costs, and prejudgment interest.

PROCEDURAL HISTORY

Sanchez challenged his dismissal from employment before the Idaho Personnel Commission. After an earlier jurisdictional appeal, the matter was remanded to determine whether his transfer was disciplinary; the hearing officer found the transfer disciplinary, determined that Sanchez had been discharged without proper cause, and awarded reinstatement and back pay. The hearing officer later awarded attorney fees, costs, and prejudgment interest. The Commission rejected those awards, but the district court reversed and remanded for their determination. The Idaho Supreme Court reversed the district court.

DISPOSITION

reversed

REMAND INSTRUCTIONS

The district court's rulings authorizing attorney fees and prejudgment interest were reversed. The opinion awards costs on appeal to IDOC.

CASES CITED

- Sanchez v. Idaho Department of Correction, 134 Idaho 523, 5 P.3d 984 (2000)
- Idaho Department of Correction v. Anderson, 134 Idaho 680, 8 P.3d 675 (Ct. App. 2000)
- Whittier v. Department of Health and Welfare, 137 Idaho 75, 44 P.3d 1130 (2002)
- Idaho State Insurance Fund v. Hunnicutt, 110 Idaho 257, 715 P.2d 927 (1985)
- State v. Quick Transport, Inc., 134 Idaho 240, 999 P.2d 895 (2000)
- Mason v. Donnelly Club, 135 Idaho 581, 21 P.3d 903 (2001)
- Albee v. Judy, 136 Idaho 226, 31 P.3d 248 (2001)
- Idaho Department of Law Enforcement v. Kluss, 125 Idaho 682, 873 P.2d 1336 (1994)
- Minich v. Gem State Development, Inc., 99 Idaho 911, 591 P.2d 1078 (1979)
- Lowery v. Board of County Commissioners for Ada County, 117 Idaho 1079, 793 P.2d 1251 (1990)
- Idaho Power Co. v. Idaho Public Utilities Commission, 102 Idaho 744, 639 P.2d 442 (1981)
- State v. Kavajecz, 139 Idaho 482, 80 P.3d 1083 (2003)
- State v. Avelar, 129 Idaho 700, 931 P.2d 1218 (1997)
- University of Utah v. Twin Falls County, 122 Idaho 1010, 842 P.2d 689 (1992)
- Bott v. Idaho State Building Authority, 128 Idaho 580, 917 P.2d 737 (1996)
- Stewart v. Department of Health and Welfare, 115 Idaho 820, 771 P.2d 41 (1989)
- Bond v. State, 70 Wash. 2d 746, 425 P.2d 10 (1967)
- Architectural Woods, Inc. v. State, 92 Wash. 2d 521, 598 P.2d 1372 (1979)
- Grant Construction Co. v. Burns, 92 Idaho 408, 443 P.2d 1005 (1968)
- Carr v. State ex rel. Coetlosquet, 127 Ind. 204, 26 N.E. 778 (1891)
- Smith v. State, 93 Idaho 795, 473 P.2d 937 (1970)
- Renninger v. State, 70 Idaho 170, 213 P.2d 911 (1950)

- DeWitt v. Medley, 117 Idaho 744, 791 P.2d 1323 (Ct. App. 1990)
- Dillon v. Montgomery, 138 Idaho 614, 67 P.2d 93 (2003)

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