

# Our View: Why pay for a lawyer when you already have a good one

Devin Rokyta/Moscow-Pullman Daily News

Idaho lawmakers have a pretty good lawyer on staff.

His name is Lawrence Wasden.

The state's taxpayers pay for Wasden and his staff - which had a 2015 budget of roughly \$22 million - to provide legal representation to the state of Idaho. Voters have enough confidence in him to have made him the longest-serving attorney general in Idaho history, re-electing him to a fourth term in 2014.

Yet some state lawmakers, all Republicans, still want outside legal representation.

The reason isn't because Wasden is incompetent. No, it is that he often tells them what they don't want to hear, that their cases have no merit, are unconstitutional and will not prevail. He follows the law, not ideological whims.

So, rather than listening to sound advice from Wasden, lawmakers have been sidestepping the attorney general and, instead, using the Legislative Legal Defense Fund to pay for outside legal counsel. Nearly \$264,600 has been spent the past three years for private attorneys to provide advice on issues like taking over federal public lands, sage grouse management and the state's health insurance exchange - all areas where Wasden is more than competent.

According to The Associated Press, the fund was originally given \$200,000 to be split between the House and Senate, and another \$1 million was added during this past legislative session. All expenses are approved by House Speaker Scott Bedke of Oakley and Senate Pro Tem Brent Hill of Idaho Falls, both Republicans.

So who is getting paid?

- Tom Perry - Gov. C.L. "Butch" Otter's former chief legal adviser - has been paid roughly \$142,000 as of November to represent Idaho in a suit that argues the federal government wrongly ignored the state's efforts to prevent the sage grouse from being listed as an endangered species.
- Holland and Hart, another Boise law firm, has been paid more than \$90,000 for counsel on the legality of Idaho taking control of federally managed public lands, even though Wasden has said the move is unconstitutional.

Many lawyers will gladly take your money and tell you what you want to hear, even if they know it's a losing battle. Unfortunately, those losing battles are being paid for by Idaho's taxpayers.

