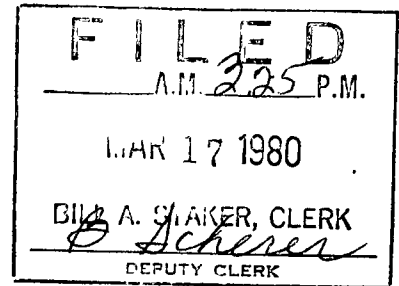


IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTIES OF ADAMS, CANYON, GEM,  
OWYHEE, PAYETTE AND WASHINGTON

DISTRICT COURT RULES



1. Law and Motion days are fixed in each county as follows:

Adams . . . . .	First Monday of each month at 10:00 a.m.
Canyon . . . . .	Each Friday: Criminal matters at 9:30 a.m.
	Civil matters at 1:30 p.m.
Gem . . . . .	Each second Monday at 9:30 a.m.
	Each fourth Monday at 9:30 a.m.
Owyhee . . . . .	Each second Friday at 9:30 a.m.
Payette . . . . .	Each first Friday at 1:30 p.m.
	Each third Friday at 1:30 p.m.
Washington . . . . .	Each first Friday at 9:30 a.m.
	Each third Friday at 9:30 a.m.

2. CALL OF CALENDARS: The District Court criminal calendars will be called in open court on the opening day of each term in each county. The District Court civil calendars will be called and cases set as follows:

On the third Monday of each month all of the judges of the District Court of the Third Judicial District of the State of Idaho shall meet in chambers in Caldwell, Canyon County, Idaho, and at said time consider for trial and/or pretrial setting all civil cases ready for trial and/or pretrial which are pending in Adams, Canyon, Gem, Owyhee, Payette and Washington counties of the State of Idaho.

A party desiring to have a cause placed on the trial calendar and set for trial and/or pretrial shall, at least 15 days prior to said third Monday, file with the Clerk of the Court in which the cause is pending, and serve on adverse counsel and the Administrative Judge in Chambers in Caldwell, Idaho, either personally or by mail a request for trial and/or pretrial setting in the following form:

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF

Plaintiff,	)	Civil No. _____
vs.	)	REQUEST FOR TRIAL AND/OR
	)	PRETRIAL SETTING
Defendant.	)	

1. Type of action \_\_\_\_\_
2. Court or Jury case \_\_\_\_\_
3. Jury timely demanded according to Rule 38(b) I.R.C.P. \_\_\_\_\_
4. Name and address of opposing counsel \_\_\_\_\_  
\_\_\_\_\_
5. Estimated trial time \_\_\_\_\_ days.
6. Trial dates NOT available to counsel requesting setting \_\_\_\_\_  
\_\_\_\_\_
7. Name of member of firm or associate who will try case \_\_\_\_\_  
\_\_\_\_\_
8. If Jury case, have parties agreed on less than 12 jurors? \_\_\_\_\_  
If yes, how many? \_\_\_\_\_
9. Pretrial requested \_\_\_\_\_

The undersigned certifies that the above-entitled case is at issue as to all parties, that a copy hereof was served on the Administrative Judge (personally) (by mail), on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and opposing counsel (personally) (by mail) on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and requests that same be set for (trial) (pretrial).

10. Comments \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Attorney for \_\_\_\_\_  
Residing at \_\_\_\_\_  
\_\_\_\_\_ Idaho.

If adverse counsel concur with the statements contained in said request, no further action need be taken and the case will be considered for setting by the Court as requested. In the event adverse counsel do not concur in the statements contained in said request or desire to advise the Court of trial and/or pretrial dates unavailable to them, said adverse counsel shall, within 5 days of the service of the request upon them, file with the clerk and serve upon requesting counsel and the Administrative Judge at Chambers in Caldwell, Canyon County, Idaho, a response to request for trial and/or pretrial setting in the following form:

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF

	)	
	)	
Plaintiff,	)	Civil No. _____
	)	
vs.	)	RESPONSE TO REQUEST FOR TRIAL
	)	AND/OR PRETRIAL SETTING
	)	
Defendant.	)	

1. The undersigned does not concur in the statements contained in the request for Trial and/or Pretrial Setting heretofore filed and served herein for the following reasons and in the following particulars \_\_\_\_\_
2. Name of members of firm or associate who will try case if set for Trial and/or Pretrial \_\_\_\_\_
3. Trial dates NOT available to responding counsel \_\_\_\_\_  
\_\_\_\_\_

The undersigned certifies that a copy hereof was served on the Administrative Judge (personally) (by mail) on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Attorney for \_\_\_\_\_  
Residing at \_\_\_\_\_  
\_\_\_\_\_ Idaho.

Convenience of counsel will not be considered by the Court in setting of cases if the data concerning unavailability of trial dates is not furnished. If all pertinent data called for by the above forms is not furnished, the request and/or response will not be considered by the Court.

Cases shall be set for trial in chronological order according to date of mailing or delivery of the copy of the request to the Court.

In the event any request for setting is not timely filed or served for consideration by the Court on any third Monday or is not set for trial and/or pretrial by the Court because of unavailability of trial dates, such request will be considered by the Court on the ensuing third Monday and no new request need be filed or served, except to keep the Court advised of unavailable trial dates.

A stipulation of counsel for all parties, containing all pertinent information required by the above request and response may be filed and served in lieu of said request and response.

3. PRESENCE OF COUNSEL UPON CALL OF CALENDAR. In view of the provisions of Rule 2, only the criminal calendars will be called in open court at the opening day of each term and counsel concerned only with civil cases need not attend. Counsel with cases on the criminal calendar must attend.

## MAGISTRATE COURT RULES

1. In addition to the Magistrate Division Courts established at the County Seats of each county in this District, the following additional facilities for the following purposes are hereby established:

### NAMPA SECTION

120 9th Avenue South, Nampa, Idaho. Filing and hearing of traffic, misdemeanors and small claims only. Jury trials will be heard at the Caldwell, Idaho court.

### PARMA IDAHO

City Hall. Misdemeanors, traffic and small claims only. Court available for filings and hearings on the 2nd and 4th Wednesdays of each month at 2:00 o'clock p.m. All jury trials arising in Parma, Idaho will be held at the Caldwell, Idaho Court.

### HOMEDALE, IDAHO

All matters assigned to Magistrates.

In addition to the above, qualified bond personnel may be provided in Nampa, Caldwell, Parma, Homedale, Murphy, Emmett, Payette, Weiser, Council and New Meadows, Idaho, to accept written appearances, waivers of trial, pleas of guilty, collection of fines and forfeitures and to set bail in accordance with provisions of Idaho Rules of Criminal Procedure.

2. All Magistrates of Canyon, Gem and Owyhee Counties shall meet together at the call of the Trial Court Administrator for the purpose of allocation of their workload, assignment and setting of cases for trial, arrangements of the court calendars and for the purpose of holding any necessary conferences relative to procedure or other problems affecting the operation of the Magistrate Courts.

3. All Magistrates of Adams, Washington and Payette Counties shall meet together at the call of the Trial Court Administrator for the purpose of allocation of their workload, assignment and setting of cases for trial, arrangement of the court calendars and for the purpose of holding any necessary conferences relative to procedure or other problems affecting the operation of the Magistrate Courts.

4. Procedure for cases brought on for trial shall be the same as District Court Rule No. 2, except that copies of Requests for Trial and Responses shall be furnished to the Trial Court Administrator.

5. All Magistrates of the Third Judicial District are hereby assigned the matters specified in Idaho Code 1-2208 and Chapter 23, Title 1, Idaho Code and all additional matters as permitted by Rule 82(c)(1)(a) IRCP and all proceedings under Title 15, Idaho Code, the Uniform Probate Code.

Non Lawyer Magistrate Charles J. Jurries of Owyhee County and Alfred O. Perry of Gem County, are hereby assigned jurisdiction to handle all proceedings under Chapters 16 and 18 of Title 16, Idaho Code.

6. Jurisdiction to hold the hearings required by Idaho Code 32-202 to determine if minors are sufficiently developed mentally and physically to assume full marital duties is hereby assigned to all District Court Magistrates within this District and petitions for such hearings may be filed at any Magistrate Court facility except those established for special purposes as set forth above in Rule 1, Magistrate Rules.

6(a). All Lawyer Magistrates are hereby assigned the additional jurisdiction as permitted by Rule 82(c) Idaho Rules of Civil Procedure as follows:

*Amended  
7-1-81  
to \$5,000*

a. Civil actions where the amount of damages or value of the property claimed does not exceed \$2,5000.00.

b. All adoption proceedings pursuant to Chapter 15, Title 16 Idaho Code, and all termination of parent-child relationships pursuant to Chapter 20, Title 16 Idaho Code.

c. All proceedings for divorce, separate maintenance, and annulment, including Orders to Show Cause hearings and issuance of Restraining Orders; all proceedings pursuant to the Revised Uniform Reciprocal Enforcement of Support Act and Idaho Code Section 32-710A. District Judges may also hear and determine divorces at their discretion.

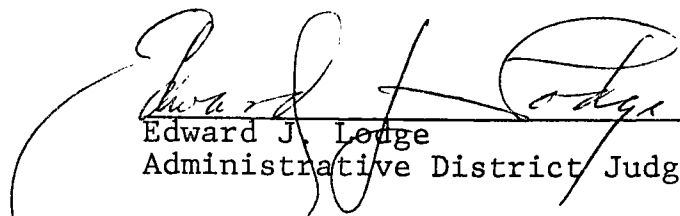
d. All proceedings to establish paternity pursuant to Chapter 11, Title 7, Idaho Code.

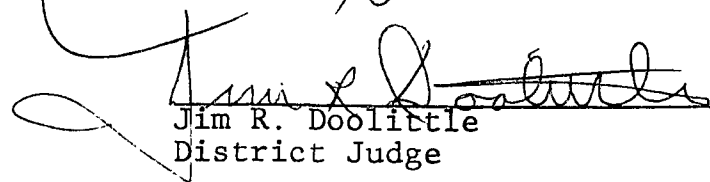
e. All proceedings under the Uniform Child Custody Jurisdiction Act, Chapter 10 of Title 5, Idaho Code.

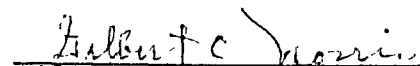
7. Each Magistrate in this District is assigned power and jurisdiction to handle any matter in any county of this District within his jurisdiction in the event any of the resident Magistrates is ill or for any other reason unable or unavailable to attend to such matters.

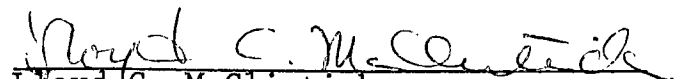
8. The Trial Court Administrator shall be responsible for case-load management thruout the 3rd Judicial District.

Effective the 1st day of April, 1980.

  
Edward J. Lodge  
Administrative District Judge

  
Jim R. Doolittle  
District Judge

  
Gilbert C. Norris  
District Judge

  
Lloyd C. McClintick  
District Judge