

Sub 10-2

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

- - - - -
AMENDMENT TO MAGISTRATE
DIVISION RULES
Effective October 17, 1973
- - - - -

That part of the Magistrate Division Rules as amended April 1, 1973 and designated as "1." thereof is hereby amended to read as follows:

1. Canyon County, Idaho will contain three Magistrate Division court facilities called Sections. Section #1 shall be located in the Canyon County court facility situate at the corner of 7th Avenue and Main Street in Caldwell, Idaho and be a sufficient court facility to carry on two six-man jury trials simultaneously, and the resident chambers of the two Canyon County lawyer-magistrates shall be located in said Section #1 court facility.

Section #2 shall be located in the Canyon County court facility located in the Courthouse Annex on Belmont Street between 11th and 12th Avenues in Caldwell, Idaho and be a sufficient facility to carry on six-man jury trials, and one Canyon County non-lawyer Magistrate must maintain his resident chambers in said Section #2 court facility.

A Magistrate Division court facility must be maintained in the Canyon County Building located at 120 Ninth Avenue South in Nampa, Idaho, which facility is designated as the Nampa Section, and one Canyon County non-lawyer Magistrate must maintain his resident chambers in said Nampa Section court facility.

All non-indictable misdemeanor cases (where punishment does not exceed \$300 and/or 6 months) arising out of occurrences happening within the city limits of Nampa, Idaho must be filed at said Nampa Section court facility.

2.

All other criminal cases arising out of occurrences happening in Canyon County must be filed at said Section #2 court facility, except as hereinafter provided.

As part of the Nampa Section and as an adjunct thereto certain cases as hereinafter set forth may be filed, heard and disposed of in the City Hall of the City of Parma, Idaho in such room or rooms as may be provided therefor by the City of Parma, Idaho, with the cost of heating, lighting and other physical maintenance of such room or rooms to be at the expense of the City of Parma, Idaho.

Small Claims cases may be filed and heard at said Parma facility at such times as a magistrate and clerk are in attendance. Also at such times as a magistrate and clerk are in attendance, non-indictable criminal complaints may be filed, warrants of arrest issued, pleas of guilty accepted and sentences or fines imposed, and such cases may be tried on pleas of not guilty provided a jury is not required. Also, traffic citations may be heard and completely disposed of providing a jury is not required. Because of the limited space available for magistrate court business in said City Hall no jury trials may be held there and any jury trials required will be tried at the Nampa Section court facility located in Nampa, Idaho.

Any non-indictable criminal type case that originates in any part of Canyon County that is closer to the City Hall in Parma, Idaho than to the Section #2 court facility located in Caldwell, Idaho may be cited into, filed, tried and disposed of in the court facility at Parma, Idaho.

Canyon County Small Claims cases may also be filed at said Section #1 court facility or at said Nampa Section court facility at Nampa.

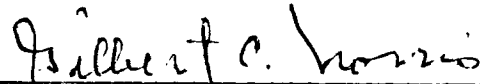
All other civil cases within the assigned jurisdiction of the Magistrates Division of Canyon County must be filed at said

3.


Section #1 court facility and no Small Claims cases may be filed at said Section #2 court facility.

All Canyon County proceedings involving juveniles within the provisions of Chapters 15, 16, 18, 19 and 20 of Title 16 of the Idaho Code, except traffic, watercraft and fish and game violations under Idaho Code 16-1803, must be filed or charged at said Section #1 court facility.

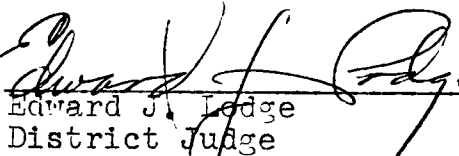
Dated this 9th day of October, 1973.



Gilbert C. Morris
Administrative District Judge



Robert B. Dunlap
District Judge



Edward J. Lodge
District Judge