

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO THE
IDAHO COURT ADMINISTRATIVE
RULE (I.C.A.R.) 44

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ORDER

The Court, in recognition of the Governor's proclamation recognizing "Juneteenth" as a new legal public holiday observed by Idaho Code, and being fully informed,

NOW, THEREFORE, IT IS ORDERED that the Idaho Court Administrative Rule (I.C.A.R.) 44 be amended as follows:

Idaho Court Administrative Rule 44. Nonjudicial days

(a) Nonjudicial Days Enumerated. The nonjudicial days for the state of Idaho are as follows:

- (1) Every Sunday;
- (2) January 1 (New Year's Day);
- (3) July 4 (Independence Day);
- (4) November 11 (Veterans Day);
- (5) December 25 (Christmas Day);
- (6) Third Monday in January (Martin Luther King, Jr.--Idaho Human Rights Day);
- (7) Third Monday in February (Washington's Birthday);
- (8) June 19 (Juneteenth);
- (~~8~~ 9) Last Monday in May (Decoration Day);
- (~~9~~ 10) First Monday in September (Labor Day);
- (~~10~~ 1) Second Monday in October (Columbus Day);
- (~~11~~ 2) Fourth Thursday in November (Thanksgiving Day);
- (~~12~~ 3) First Tuesday after the First Monday in November of every even numbered year (General Election Day);
- (~~13~~ 4) Every day appointed by the President of the United States, or the Governor of the state of Idaho for a public fast, thanksgiving or holiday.

Provided, if a nonjudicial day falls on Saturday, it will be celebrated on the preceding Friday, or if it falls on Sunday, it will be celebrated on the succeeding Monday.

(b) Judicial Action on Nonjudicial Days. On nonjudicial days the Idaho Courts shall not conduct judicial business and do not have to attend their courts except they may:

- (1) Give upon request, instructions to a jury when deliberating on a verdict;
- (2) Receive a verdict or discharge a jury;
- (3) Issue injunctions and writs of prohibition;
- (4) Hear proceedings to recover personal property;
- (5) Issue a Warrant of Arrest or Search Warrant;
- (6) Arraign a defendant as required by law;
- (7) Set or modify bail of a defendant;
- (8) Issue an order in a domestic violence matter;
- (9) Issue any emergency order in any civil or criminal case in the discretion of the district judge or magistrate.

Provided, the office of the clerk of the court shall be open to conduct business on a general election day.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Idaho Court Administrative Rules.

IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 25th day of January, 2022.

By Order of the Supreme Court

G. Richard Bevan

Chief Justice, Idaho Supreme Court

ATTEST:

Melanie Gagnepain, Clerk

I, Melanie Gagnepain, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
Certify that the above is a true and correct copy of the
Order entered in the above entitled
cause and now on record in my office. WITNESS my
hand and the Seal of this Court 1-25-22

Melanie Gagnepain, Clerk

By

Deputy