FIFTH JUDICIAL DISTRICT

www.co.twin-falls.id.us/5thdistrict2

ADMINISTRATIVE JUDGE

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Hon. Robert J. Elgee			
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Hon. Jason D. Walker P.O. Box 430 Fairfield, ID 83327 Telephone:(208) 764-2238 Fax:(208) 764-234jdw@rtci.net

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Hon. Eric J. Wildman

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LAW AND MOTION DAYS		
COUNTY	JUDGES	DAY & TIME
Blaine	Magistrate Judge Israel	CR-Mon. & Wed. a.m. CV-Tues.
	District Judge Elgee	CR- Mon. a.m. CV- Mon. p.m.
Camas	Magistrate Judge Walker	CV-Fri. CR-Fri.
	District Judge Elgee	As needed.
Cassia	Magistrate Judge Bollar	Varies – Call Clerk.
	Magistrate Judge Hodges	Varies - Call Clerk.
	District Judge Crabtree	CV-Mon. CR-Tues.
Gooding	Magistrate Judge Robinson	CR-Mon. a.m. CV-Tues. & Wed. a.m.
	District Judge Butler	CR–Tues. CV- Tues.
Jerome	Magistrate Judge Borresen	CR-Mon. CV-Wed. a.m.
	District Judge Butler	CR–Mon. a.m. CV-Mon. a.m.
Lincoln	Magistrate Judge Ingram	CR–Wed. a.m. CV-Wed. p.m.
	District Judge Butler	Tues as needed.
Minidoka	Magistrate Judge Duff	CV-Mon. & Fri. CR-Thurs. a.m.
	District Criminal Judge Brody	CR-Mon.
	District Civil Judge Crabtree	CV-2 nd &4 th Mon. p.m.
Twin Falls	MagistrateJudge Harris	Varies – Call Clerk.
	Magistrate Judge Cannon	Varies – Call Clerk.
	Magistrate Judge Kershaw	Varies – Call Clerk.
	District Judge Bevan	CR – Mon. a.m. CV – Mon. p.m.
	District Judge Stoker	CV – Mon. a.m. CR – Mon. p.m.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO

RE: JURISDICTION OF) MAGISTRATES IN THE FIFTH) 09-1 JUDICIAL DISTRICT)

) ADMINISTRATIVE ORDER

Pursuant to the statutes of the State of Idaho and the Idaho Rules of Civil Procedure, the District Judges of the Fifth Judicial District of the State of Idaho do hereby designate and clarify the kinds of cases and matters to be processed by all Magistrates in the District Court of said district, as follows:

1. Civil Proceedings as follows:

A. When the amount of money or damages or the value of personal property claimed does not exceed ten thousand dollars (\$10,000).

1) Actions for the recovery of money only arising on contracts express or implied; actions for damages or injury to person, property or reputation or for taking or detaining personal property, or for fraud;

2) Actions for rent and distress for rent;

3) Actions for claim and delivery;

 Proceedings in attachment, garnishment, wage deductions for the benefit of creditors, trial or right of personal property and exemptions, and supplementary proceedings;

5) Actions arising under the laws for the incorporation of cities or counties or any ordinance passed in pursuance thereof; actions for the confiscation or abatement of nuisances and the seizure, condemnation and forfeiture of personal property; proceedings in respect of estrays and lost property;

6) Actions to collect taxes.

- B. Proceedings in forcible entry, forcible detainer, and lawful detainer; and
- C. Proceedings for the enforcement and foreclosure of common law and statutory liens of not to exceed ten thousand dollars (\$10,000) on real or personal property.

2. Proceeding in the probate of wills and administration of estates of decedents, minors and incompetents.

3. The following criminal and quasi-criminal proceedings;

- A. Misdemeanors and quasi-criminal actions;
- B. Proceedings to prevent the commission of crimes;
- C. Proceedings pertaining to warrants for arrest or for searches and seizures; and
- D. Proceedings for the preliminary examination to determine probably cause, commitment prior to trial or the release on bail of persons charged with criminal offenses.

4. Any juvenile proceedings except those within the scope of the provisions of Section 1-2210, Idaho Code, unless otherwise authorized herein.

5. Miscellaneous proceedings as follows:

- A. Proceedings under Title 66, Chapter 3, Idaho Code, relating to the hospitalization of the mentally ill;
- B. Preliminary proceedings under the Child Protective Act, Section 16-1628 through 16-1634, Idaho Code;
- C. Preliminary proceedings under the Juvenile Corrections Act, Sections 20-520 through 20-543, Idaho Code; and
- D. Preliminary proceedings under the Termination of Parent-Child Relationship Act, Sections 16-2007 and 16-2008, Idaho Code;

Provided, however, that lay magistrates certified by the Supreme Court may conduct all proceedings under the Child Protective Act and Juvenile Corrections Act.

ADDITIONAL JURISDICTION

Pursuant to the statutes of the State of Idaho and the Idaho Rules of Civil Procedure, the District Judges of the Fifth Judicial District of Idaho do hereby grant additional jurisdiction to Lawyer Magistrates of the District as follows:

- A. Civil actions where the amount of damages or value of the property claimed does not exceed ten thousand (\$10,000) dollars;
 - B. Adoption proceedings pursuant to Chapter 15, Title 16, Idaho Code;
 - C. Termination of parent-child relationships pursuant to Chapter 20, Title 16, Idaho Code.

2. Pursuant to I.R.C.P. 82(c) as amended, all lawyer magistrates in the Fifth Judicial District shall have concurrent jurisdiction with the District Court as of January 1, 1984, in the following cases:

A. Habeas Corpus proceedings regardless of the nature of origin including criminal cases;

B. All proceedings involving the custody of minors incidental to divorce proceedings;

C. Proceedings for divorce, separate maintenance, or annulment, including orders to show cause, hearings and issuance of restraining orders;

D. Proceedings pursuant to the Revised Uniform Reciprocal Enforcement of Support Act, and Section 32-710A, Idaho Code;

E. Magistrates may be assigned cases or matters, otherwise heard only in District Court, pursuant to the applicable Criminal and Civil Rules.

F. All paternity proceedings, an all actions for change of name.

The jurisdiction amounts designated in this document shall be exclusive of interest, costs, and attorney's fees, and punitive damages; but, all counts will be added together to determine the amount claimed.

IT IS SO ORDERED, effective March 23, 2009, superseding all pervious orders, and a copy of this order is to be posted by all Clerks in this district.

Barry Wood Administrative District Judge



Twin Falls County Courthouse

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO

RE: NO CONTACT ORDERS) AND RELATED FORMS) 04-18 FOR USE IN CRIMINAL) SECOND AMENDED CASES) ADMINISTRATIVE) ORDER

WHEREAS, I.C.R. Rule 46.2 requires that each judicial district shall adopt by Administrative Order a form for No Contact Orders for that district; and

WHEREAS, Idaho Code §18-920 provides that when a person is charged with, or convicted of, an offense under Idaho Code §§ 18-901, 18-903, 18-905, 18-907, 18-909, 18-911, 18-913, 18-915, 18-918, 18-919, 18-6710, 18-6711, 18-7905, 18-7906, or 39-6312, or any other offense for which a court finds that a No Contact Order is appropriate, an order forbidding contact with another person may be issued; and

WHEREAS, Idaho Code §18-920 provides that such No Contact Orders may be imposed by the court or by Idaho Criminal Rule; and

WHEREAS, I.C.R. Rule 46.2 provides that No Contact Orders issued pursuant to Idaho Code § 18-920 shall be in writing and served on or be signed by the defendant; and

WHEREAS, I.C.R. Rule 46.2 specifies certain requirements and advisories to be placed in No Contact Orders; and

WHEREAS, it is necessary to collect information for entry of No Contact Orders into the Idaho Law Enforcement Telecommunication System, (ILETS);

THEREFORE, EFFECTIVE JULY 1, 2004, IT IS HEREBY ORDERED:

1. The following attached forms shall be used in all counties of the Fifth Judicial District providing for no contact orders issued in criminal cases, pursuant to Idaho Code § 18-920;

Form 1: No Contact Order Pursuant to I.C.R. 46.2, I.C. § 18-920, and Fifth District Administrative Order 04-18;

Form 2: Victim Information Form; Revision date 9/28/04

Form 3: Motion to Modify or Dismiss No Contact Order;

Form 4: Order on Motion to Modify or Dismiss No Contact Order;

2. Any of the above, which are actually entered as orders, shall remain in full force and effect according to their terms or until modified or dismissed by order of the court.

3. The Clerk of the Court shall give written notification to the records department of the Sheriff's Office in the county in which a No Contact Order issues and any subsequent modification or dismissal thereof **immediately** and the information on the Order, or any subsequent modifications or termination thereof, shall be entered into the Idaho Law Enforcement Telecommunication System.

4. Because there are no longer Administrative No Contact Orders, when the first No Contact Order is issued by the Court, the arresting officer shall complete Victim Information Form immediately, or the prosecuting attorney's office for that agency shall complete the Victim Information Form if no arrest is made, no later than forty-eight (48) hours after the entry of the court's order and immediately forward it to the record's department of the Sheriff's office.

5. A copy of this Administrative Order and attached forms shall be posted in every clerk's office and jail throughout the Fifth Judicial District.

6. A copy of this Administrative Order shall be published in one issue of The Advocate and shall also be mailed out by the Fifth District Bar Association in their next newsletter.

DATED this 28th day of October, 2004.

Barry Wood

Administrative District Judge c: All Judges, All Clerks of the District Court, All Sheriffs, **All Prosecuting Attorneys, All Public Defenders, All Chief of Police**