

## SUMMARY STATEMENT

*Worthington v. Crazy Thunder, Docket No. 49976*

This appeal concerned whether a tenant has a constitutional right to a jury trial on an action for unlawful detainer. Dallen and Rachel Worthington filed an expedited unlawful detainer action against Carlene Crazy Thunder under Idaho Code section 6-311A for failure to pay rent. Crazy Thunder demanded a jury trial, which the magistrate court denied. Following a bench trial, the magistrate found that Crazy Thunder had unlawfully detained the Worthington's property and ordered her to vacate the residence. Crazy Thunder filed an intermediate appeal to the district court, arguing she had a right to a jury trial under Idaho's Constitution and Idaho Code section 6-313. The district court agreed, concluding that section 6-311A conflicted with section 6-313, and that section 6-311A violated Article I, section 7 of the Idaho Constitution. The Worthingtons timely appealed from the district court's decision, arguing that the district court erred in concluding that Idaho Code section 6-311A violates the Idaho Constitution. The Idaho Supreme Court affirmed the district court's decision, though on different grounds. The Court held that Idaho Code section 6-311A does not conflict with Article I, section 7 of the Idaho Constitution. Nonetheless, the Court concluded that Crazy Thunder was entitled to a jury trial on her legal claims because she raised issues of fact that must be tried by a jury.

***\*\*\*This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.\*\*\****