



## **I.C.A.R. 5. Jurisdiction of Magistrates: Assignment of Cases.**

### **Idaho Court Administrative Rule 5. Civil Jurisdiction of Magistrates; Assignment of Cases.**

(a) Jurisdiction; Assignment by Order. Jurisdiction of magistrates is the same as that of district judges but assignment of cases to magistrates must be approved by order of a majority of the district judges in the district. The order of the district judges stating the assignment of cases to magistrates must be posted in a conspicuous place in the clerk's office in each county in the district and published in the Idaho State Bar Desk Book.

(b) Assignment Pursuant to Idaho Code Section 1-2208. Assignment of cases to magistrates may be granted pursuant to Idaho Code Section 1-2208, as follows:

1. All of the matters and actions designated in Idaho Code Section 1-2208, including any proceeding under title 66, chapter 3, Idaho Code relating to the hospitalization of the mentally ill or title 66, chapter 4, Idaho Code, relating to the care of the developmentally disabled;
2. Proceedings under the Child Protective Act, title 16, chapter 16, Idaho Code , and the Safe Haven Act, title 39, chapter 82, Idaho Code;
3. Proceedings under the Juvenile Corrections Act, title 20, chapter 5, Idaho Code;
4. Proceedings under the Termination of Parent-Child Relationship Act, title 16, chapter 20, Idaho Code;
5. All proceedings under Idaho Code Section 18-8002 to determine whether a person refused to take an evidentiary test for concentration of alcohol, drugs or other intoxicating substances when properly requested by a police officer.

(c) Assignment Pursuant to Idaho Code Section 1-2210. Additional cases may be assigned to magistrates pursuant to Idaho Code Section 1-2210 when approved by the administrative district judge of a judicial district. The additional cases assigned to magistrates may include:

1. Civil actions regardless of the nature of the action, where the amount of damages or value of the property claimed does not exceed \$10,000;



2. All proceedings involving the custody of minors incidental to divorce proceedings, all adoption proceedings pursuant to title 16, chapter 15, Idaho Code, all paternity proceedings, and all actions for change of name;

3. All proceedings for divorce, separate maintenance or annulment, including orders to show cause, hearings and issuance of restraining orders; including all child support and maintenance proceedings pursuant to title 32, chapter 7, Idaho Code; and proceedings pursuant to the Uniform Child Custody Jurisdiction and Enforcement Act, title 32, chapter 11, Idaho Code;

4. All habeas corpus proceedings regardless of the nature or origin, including all habeas corpus proceedings involved in a criminal proceeding or conviction.

(Adopted December 2, 2015, effective July 1, 2016; amended September 9, 2016, effective September 9, 2016; amended December 14, 2017, effective January 1, 2018.)

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