

JAN 30 2018

By 

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

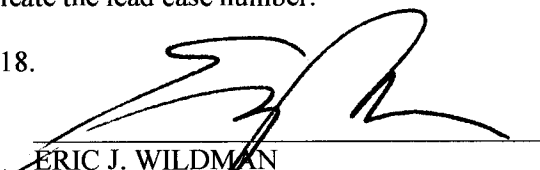
RE: PROCEDURES GOVERNING
MOTIONS TO CONSOLIDATE
PURSUANT TO IRCP 42

ADMINISTRATIVE ORDER
18-01

IT IS HEREBY ORDERED that the following procedures shall govern Motions to Consolidate pursuant to IRCP 42;

- 1) Motions to consolidate shall be presented to and ruled upon by the judge assigned to the case with the lowest case number. Provided, however, if the cases sought to be consolidated consist of a case within the Magistrate Court and one in the District Court, the motion to consolidate will be presented to and ruled upon by the judge assigned to the District Court case, regardless of whether the District Court case is the newest case;
- 2) The motion to consolidate shall be served on all parties in each action involved and shall be filed in each case involved. The proposed Order to Consolidate shall only be filed in the lead case;
- 3) In the event a motion to consolidate is granted,
 - a. The order shall designate the case number under which all future filings shall be made, which shall be the lowest of the case numbers involved. Thereafter, the designated case number shall be used exclusively for all filings made in the consolidated case, and
 - b. The consolidated case shall be assigned to the judge assigned to the lowest numbered of the cases involved. Provided, however, if the consolidated case involved a case within the Magistrate Court and one within the District Court, the District Court may keep the consolidated case or request that the ADJ assign the consolidated case to the Magistrate Court.
 - c. The non-lead case shall be closed at time of consolidation. The clerk shall relate the cases in Odyssey and indicate the lead case number.

Dated this 30th day of January 2018.


ERIC J. WILDMAN
Administrative District Judge
Fifth Judicial District

C: Judges of the Fifth Judicial District
Clerks of the District Court of the Fifth Judicial District