

# In the Supreme Court of the State of Idaho

IN RE: ORDER AMENDING LOCAL RULES )  
OF THE FIFTH JUDICIAL DISTRICT ) ORDER

The Administrative Judge of the Fifth Judicial District having submitted to the Court a proposed amendment to their rules for approval pursuant to Rule 1(c) of the Idaho Rules of Civil Procedure, and the Court having approved the same;

NOW, THEREFORE, IT IS HEREBY ORDERED, that Appendix A, attached hereto and incorporated herein by this reference, be, and it is hereby, approved and adopted as an amendment to the local rules of the Fifth Judicial District of the state of Idaho.

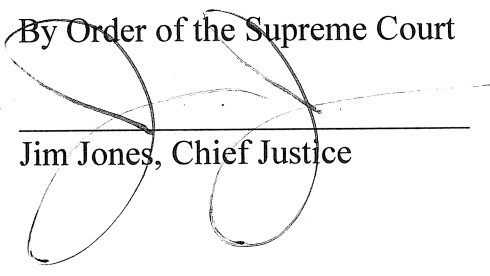
IT IS FURTHER ORDERED, that the amended local rules of the Fifth Judicial District shall become effective upon execution of this Order.

IT IS FURTHER ORDERED, that said amendments to the Local Rules of the Fifth Judicial District of the state of Idaho shall be sent to the trial court administrator of the Fifth Judicial District for publication and dissemination.


IT IS FURTHER ORDERED, that the Fifth Judicial District is hereby authorized to submit the amendments to the editors of *The Advocate* for publication and inclusion in the *Idaho State Bar Desk Book*.

Dated this 8<sup>TH</sup> day of January, 2016.

By Order of the Supreme Court

  
\_\_\_\_\_  
Jim Jones, Chief Justice

ATTEST:

  
\_\_\_\_\_  
Clerk

# APPENDIX A

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE: COURT FILINGS IN FELONY  
CRIMINAL CASES IN THE FIFTH  
JUDICIAL DISTRICT

ADMINISTRATIVE ORDER  
2015-05

WHEREAS, the judges of the Fifth Judicial District, in and for Twin Falls  
County, are implementing the state-wide case management system known as Odyssey;  
and

WHEREAS, the remainder of the judges of the Fifth Judicial District will  
implement Odyssey in 2016; and

WHEREAS, the Idaho Supreme Court has encouraged the development of  
case management protocols, including the Felony Caseflow Management Plan for the  
Fifth Judicial District, which will be adopted shortly; and

WHEREAS, the Fifth Judicial District judges intend to comply with the  
statewide protocols for case processing; and

WHEREAS, such protocols require timely and efficient processing of cases  
in Idaho's courts; and

WHEREAS, Idaho Criminal Rule 2(a) provides that procedural rules are to be construed to "secure simplicity in procedure, fairness in administration and elimination of unjustifiable expense and delay"; and

WHEREAS, the process of preparing for arraignment, sentencing and other hearings in district court cases is becoming increasingly time sensitive; and

WHEREAS, the volume of paperwork and digital material the courts must digest to prepare adequately for hearings in felony cases is becoming sizeable; and

WHEREAS, Idaho Criminal Rule 2(b) provides that a majority of the district judges may make rules governing the internal case management and procedure within this judicial district, and a majority of the district judges have so voted.

NOW THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Information and any Motions to Revoke Probation will be filed with the court and served no later than seven (7) calendar days before Arraignment. The Clerk of the Court will not place a case on the calendar for Arraignment or Admit/Deny hearing until either the Information or Motion to Revoke has been filed with the court.

2. Pursuant to I.C.R. 45, all written motions and any supporting affidavit(s), including motions for bond reduction will be filed and served not later than seven (7) calendar days before the time set for the hearing. Opposing affidavits must be filed not less than one (1) calendar day before the hearing as provided by Rule 45.

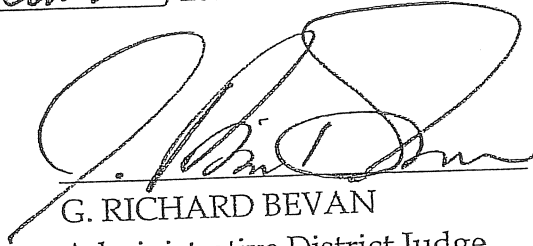
3. Any documentation regarding a felony sentencing or disposition, including, but not limited to presentence investigation reports, including all addenda, psychological or behavioral assessments, GAIN assessments, court compliance reports, letters in aggravation or mitigation of sentencing, problem solving court orders, and any other document pertaining to a sentencing or disposition, will be filed no later than seven (7) calendar days before the time set for the sentencing or disposition hearing.

4. If either party desires to call a witness or witnesses at any hearing, including sentencing or disposition, the party will file written notice thereof with the court, and serve the same upon counsel for the opposing party not later than seven (7) calendar days before the time set for the hearing. Individuals, including victims, making informal statements at sentencing or disposition are considered witnesses under this provision.

In the event that these timelines are not complied with, it is expected that the hearing will be continued to a later time convenient to the court. The court, in its

discretion, may accept late-filed documents or notices; however, such relief will be granted rarely, and only upon a showing of good cause.

DATED this 28 day of September, 2015.



G. RICHARD BEVAN  
Administrative District Judge

- c: All District Judges
- IDOC, Department of Probation and Parole
- District Magistrate Probation Offices
- Prosecuting Attorneys of the 5<sup>th</sup> Judicial District
- Public Defenders of the 5<sup>th</sup> Judicial District
- Defense Counsel presently representing defendants in District Court
- All Clerks of the District Court