

# THIRD JUDICIAL DISTRICT

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## ADMINISTRATIVE JUDGE

### HON. JUNEAL C. KERRICK

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#### *Court Reporter:*

Katherine J. Klemetson  
1115 Albany Street  
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## DISTRICT JUDGES

### HON. GREGORY M. CULET

1115 Albany Street  
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#### *Court Reporter:* Laura L. Whiting/ Debra Ann Kreidler

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### HON. SUSAN E. WIEBE

Payette County Courthouse  
1130 Third Avenue North  
Payette, ID 83661  
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#### *Court Reporter:* Vacant

P.O. Box 670  
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### HON. RENAE J. HOFF

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#### *Court Reporter:* Carole Bull

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### HON. THOMAS J. RYAN

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#### *Court Reporter:*

Kimberly Saunders  
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### HON. BRADLY S. FORD

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#### *Court Reporter:*

Yvonne L. Hyde Gier  
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## TRIAL COURT ADMINISTRATOR

Dan Kessler  
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## MAGISTRATE JUDGES

### ADAMS COUNTY

Vacant  
P.O. Box 48  
Council, ID 83612  
Telephone: .....(208) 253-4233

#### *Clerk of the Court:* Sherry Ward

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### CANYON COUNTY

HON. DAYO O. ONANUBOSI  
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### HON. GARY D. DEMEYER

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### HON. DEBRA A. ORR

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### HON. FRANK P. KOTYK

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### HON. ROBERT M. TAISEY

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### HON. JAMES A. (J.R.) SCHILLER

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### HON. JEROLD W. LEE

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### HON. GEORGE A. SOUTHWORTH

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#### *Clerk of the Court:*

Chris Yamamoto  
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#### For Court Information:

Telephone:  
Civil: .....(208) 453-4842  
Criminal: .....(208) 454-7571  
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Civil: .....(208) 454-7525  
Criminal: .....(208) 454-6616  
Nampa Court:  
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### GEM COUNTY

HON. TYLER D. SMITH  
415 East Main, Room 300  
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#### *Clerk of the Court:* Shelly Gannon

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## OWYHEE COUNTY

### HON. DAN C. GROBER

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Murphy, ID 83650  
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#### *Clerk of the Court:*

Charlotte Sherburn  
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## PAYETTE COUNTY

### HON. BRIAN D. LEE

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### HON. A. LYNNE KROGH

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#### *Clerk of the Court:*

Betty J. Dressen  
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## WASHINGTON COUNTY

### HON. GREGORY F. FRATES

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#### *Clerk of the Court:* Betty Thomas

P.O. Box 670  
256 East Court  
Weiser, ID 83672  
Telephone: .....(208) 414-2092  
Fax: .....(208) 414-3925  
Magistrate:  
Telephone: .....(208) 414-2232  
Fax: .....(208) 414-2335

In the District Court of the Third Judicial District of the State of Idaho, in and for the Counties of  
Adams, Canyon, Gem, Owyhee, Payette and Washington  
**District Court Rules**

1. **Law and Motion days** are fixed in each county as follows:

Law and Motion days		
County	When/Date	Time
Adams	1st Friday of month	9:30 a.m.
Canyon	Thursdays	9:00 a.m. <b>Civil</b>
	Fridays	9:00 a.m. <b>Criminal</b>
Gem	2nd and 4th Monday of month	9:00 a.m.
Owyhee	2nd and 4th Friday of month	9:30 a.m. <b>Culet (2nd)</b> 9 a.m. <b>Ryan (4th)</b>
Payette	1st and 3rd Friday of month	9:00 a.m. <b>Criminal</b>
		1:30 p.m. <b>Civil</b>
Washington	2nd and 4th Monday of month	1:30 p.m.

2. **Civil Trial Settings.** District Court civil cases will be set as follows:

A party desiring to have a cause placed on the trial calendar and set for trial and/or pretrial shall, file with the Clerk of the Court in which the case is pending, and serve on adverse counsel and the Administrative Judge in Chambers in Caldwell, Idaho, either personally or with the following form:

In the District Court of the Third Judicial District of the State of Idaho, in and for the County of \_\_\_\_\_  
Plaintiff, ) Civil No. \_\_\_\_\_  
) Request For Trial  
vs. ) and/or  
) PreTrial Setting  
Defendant )

1. Type of Action \_\_\_\_\_
2. Court or jury case \_\_\_\_\_
3. Jury timely demanded according to Rule 38(b) I.R.P.C. \_\_\_\_\_
4. Name and address of opposing counsel \_\_\_\_\_
5. Estimated trial time (days) \_\_\_\_\_
6. Trial dates NOT available to counsel requesting setting \_\_\_\_\_
7. Name of member or firm or associate who will try the case: \_\_\_\_\_
8. If a jury case, have parties agreed on less than 12 jurors? \_\_\_\_\_, If yes, how many? \_\_\_\_\_
9. PreTrial requested \_\_\_\_\_

The undersigned certifies that the above entitled case is at issue as to all parties, that a copy hereof was served on the Administrative Judge (personally) (by mail), on the \_\_\_ day of \_\_\_\_\_, 19\_\_\_, and requests the same be set for (trial) (pretrial).

10. Comments \_\_\_\_\_  
Dated this \_\_\_ day of \_\_\_\_\_, 19\_\_\_.

(Name of Attorney)  
Attorney for \_\_\_\_\_  
Residing at \_\_\_\_\_, Idaho.

If adverse counsel concur with the statements contained in said request, no further action need be taken and the case will be considered for setting by the Court as requested. In the event adverse counsel do not concur in the statements contained in said request or desire to advise the Court of trial and/or pretrial dates unavailable to them, said adverse counsel shall, within 5 days of the service of the request

upon them, file with the clerk and serve upon requesting counsel and the Administrative Judge at Chambers in Caldwell, Canyon County, Idaho, a response to request for trial and/or pretrial setting in the following form:

In the District Court of the Third Judicial District of the State of Idaho, in and for the County of \_\_\_\_\_  
Plaintiff, ) Civil No. \_\_\_\_\_  
) Response to  
vs. ) Request for Trial  
) and/or  
Defendant. ) PreTrial Setting

1. The undersigned does not concur in the statements contained in the Request for Trial and/or Pretrial Setting heretofore filed and served herein for the following reasons and in the following particulars:

2. Name of members of firm or associate who will try case if set for Trial and/or PreTrial \_\_\_\_\_.  
Trial date **NOT** available to responding counsel \_\_\_\_\_.  
The undersigned certifies that a copy hereof was served on the Administrative Judge (personally) (by mail) on the \_\_\_ day of \_\_\_\_\_, 19\_\_\_.  
Dated This \_\_\_ day of \_\_\_\_\_, 19\_\_\_.

(Name of Attorney)  
Attorney for \_\_\_\_\_  
Residing at \_\_\_\_\_ Idaho.

Convenience of counsel will not be considered by the Court in setting of cases if the data concerning unavailability of trial dates is not furnished. If all pertinent data called for by the above forms is not furnished, the request and/or response will not be considered by the Court.

Cases shall be set for trial in chronological order according to date of mailing or delivery of the copy of the request to the Court.

A stipulation of counsel for all parties, containing all pertinent information required by the above request and response may be filed and served in lieu of said request and response.

3. **Criminal Trial Settings.** All District Court criminal cases will be set for trial at the time of entry of plea unless otherwise ordered by the Court.

Following is the schedule for Calendar Calls for District Courts.

District Court Calendar Calls		
County	When	Time
Adams	1st Monday in March	10:00 a.m.
	1st Tuesday in September	10:00 a.m.
Canyon	AS NEEDED	
Gem	2nd Monday in March & September	9:30 a.m.
Owyhee	2nd Friday in March & September	9:30 a.m.
Payette	1st Friday in March & September	9:30 a.m.
Washington	2nd & 4th Monday of each month	1:30 p.m.

## Magistrate Court Rules

1. In addition to the Magistrate Division Courts established at the County Seats of each county in this District, the following additional facilities for the following purposes are hereby established:

### Nampa Section

120 Ninth Avenue South; Nampa, Idaho. Filing of traffic, misdemeanors and small claims only. \*Jury trials will be held in Caldwell, Idaho. \*Hearing of these matters and other case types as assigned by the Trial Court administrator.

### Homedale, Idaho

All matters assigned to Magistrates. Jury trials will be held in Murphy, ID.

In addition to the above, Qualified bond personnel may be provided in Nampa, Caldwell, Parma, Homedale, Murphy, Emmett, Payette, Weiser, Council, and New Meadows, Idaho to accept written appearances, waivers of trial, pleas of guilty, collection of fines and forfeitures and to set bail in accordance with provisions of Idaho Rules of Criminal Procedure.

2. All magistrates shall meet together at the call of the Trial Court Administrator for the purpose of holding any necessary conferences relative to procedure or other problems affecting the operation of the Magistrate Courts.

3. Procedure for the cases brought on trial shall be the same as District Court Rule No. 2, except that copies of Requests for Trial and Responses shall be served on the Magistrate assigned to the case.

4. All Magistrates of the Third Judicial District are hereby assigned the matters specified in Idaho Code 1-2208 and Chapter 23, Title 1, Idaho Code and all additional matters as permitted by Rule 82(c) (1)(a) I.R.P.C. and all proceedings under Title 15, Idaho Code, the Uniform Probate Code.

5. Jurisdiction to hold the hearings required by Idaho Code 32-202 to determine if minors are sufficiently developed mentally and physically to assume full marital duties is hereby assigned to all District Court magistrates within this District and Petitions for such hearings may be filed at any magistrate Court facility except those established for special purposes as set forth above in Rule 1, Magistrate Rules.

5A. All lawyer Magistrates are hereby assigned the additional jurisdiction as permitted by Rule 82(c), Idaho Rules of Civil Procedure as follows:

a. Civil actions where the amount of damages or value of the property claimed does not exceed \$10,000.

b. All adoption proceedings pursuant to Chapter 15, Title 16, Idaho Code, and all termination of parent-child relationships pursuant to Chapter 20, Title 16, Idaho Code, and all actions for change of name.

c. All proceedings for divorce, separate maintenance and annulment, including Order to Show Cause hearings and issuance of restraining orders; all proceedings pursuant to the Revised Uniform Reciprocal Enforcement of Support Act the Idaho Code Section 32-710A. District Judges may also hear and determine divorces at their discretion.

d. All proceedings to establish paternity pursuant to Chapter 11, Title 7, Idaho Code.

e. All proceedings under the Uniform Child Custody Jurisdiction Act, Chapter 10 of Title 5, Idaho Code.

6. Each Magistrate in this District is assigned power and jurisdiction to handle any matter in any county of this District within his jurisdiction in the event any of the resident Magistrates is ill or for any other reason unable or unavailable to attend to such matters.

7. The Trial Court Administrator shall be responsible for caseload management throughout the Third Judicial District.

Following is the schedule for Calendar Calls for Magistrate Division and Law and Motion Days for Magistrate Division. (Law and Motion Days for District Court are in the District Court Rules for this District.)

Magistrate Division Calendar Call		
County	When	Time
Adams	1st Friday in March & September	10:00 a.m.
Canyon	Last Thursday of each month	9:30 a.m. Civil 1:30 p.m. Criminal
Gem	1st Monday in March 1st Tuesday in September	9:30 a.m. 9:30 a.m.
Owyhee	AS NEEDED	
Payette	2nd Tuesday in March & September	9:30 a.m.
Washington	1st & 3rd Wednesday each month	9:30 a.m.

Magistrate Division Law and Motion Days		
County	When	Time
Adams	1st Friday each month	10:00 a.m.
Canyon - Caldwell	Each Thursday	9:00 a.m.
Canyon - Nampa	Each Wednesday	9:00 a.m.
Gem	1st & 3rd Monday each month	9:30 a.m.
Owyhee - Criminal	Each Monday	1:30 p.m.
Owyhee - Civil	1st & 3rd Thursday each month	1:30 p.m.
Payette	2nd & 4th Tuesday each month	9:30 a.m.
Washington	1st & 3rd Wednesday each month	9:30 a.m.



Canyon County Courthouse