# B. CHART OF IDAHO'S COURT STRUCTURE

#### SUPREME COURT

Chief Justice and four Associate Justices. Staggered terms of 6 years after non-partisan, at-large election.

Original jurisdiction in:

- (1) Claims against State (advisory opinions)
- (2) Extraordinary writs

Appellate jurisdiction in:

- Appeals from interim orders and final judgment in district courts
- Direct appeals from certain administrative agencies

## COURT OF APPEALS

Chief Judge and two Associate Judges. Staggered terms of 6 years after non-partisan, at-large statewide election.

Jurisdiction limited to appeals from the district courts which are assigned by the Supreme Court.

## DISTRICT COURTS

41 district judges presently authorized. Terms of 4 years after non-partisan election within the judicial district. Voluntary retirement at age 65 (effective January 1, 1999).

Original jurisdiction over civil and criminal cases including:

- (1) Personal injury & other civil claims
- (2) Contracts
- (3) Property Disputes
- (4) Felonies

Appellate jurisdiction:

- (1) Appeals from Magistrates Division
- (2) Appeals from state agencies and boards
- (3) Appeals from small claims departments

## MAGISTRATE DIVISIONS

87 magistrate judges authorized. Terms: Initial 18 months upon appointment by district magistrates commission; subsequent four year terms by county retention election.

Jurisdiction, generally:

- Civil actions, i.e., personal injury, property disputes, contracts, etc., to \$10,000
- (2) Small claims
- (3) Traffic cases
- (4) Probate of decedent estates
- (5) Juvenile correction proceedings
- (6) Child protective proceedings
- (7) Misdemeanors
- (8) Arrest warrants; searches and seizures
- (9) Preliminary hearings for probable cause on felony complaints
- (10) Domestic relations

#### SMALL CLAIMS DEPARTMENTS

- Magistrate judges sit for small claims.
- Jurisdiction limited to civil actions up to \$4,000 over defendants within the county.
- Attorneys not allowed in the trial of small claims actions.
- No jury trials in small claims cases.

<sup>\*</sup> Indicates court to which appeals are taken