

**United States District Court
District of Idaho**

Re: Inclusion of Magistrate Judges)
in Civil Case Assignment Process) General Order
_____) No. 155

IT IS HEREBY ORDERED that all full-time Magistrate Judges in the District of Idaho shall be included in the civil case assignment process in such a proportionate basis as determined by the Article III District Judges, giving due consideration to the existing caseload.

Upon the filing of the complaint, the case will be randomly assigned to one of the four trial judges in the District of Idaho. If one of the Magistrate Judges is assigned a case, and if any party affirmatively decides to request reassignment to a District Judge, that party shall file a written request for reassignment with the Clerk of the Court within ten (10) days after the appearance of the last defendant. If such a request is made, the case will be randomly reassigned to one of the District Judges.

If a written request for reassignment is not received by the Clerk of the Court, the case will proceed to a scheduling conference before the assigned Magistrate Judge in accordance with the District of Idaho Local Rule 16.1(a)(1). At the scheduling conference the Magistrate Judge will inquire on the record if all parties wish to consent to trial and judgment before the Magistrate Judge pursuant to 28 U.S.C. § 636(c). If all parties consent to proceeding before the Magistrate Judge, then written consents will be filed with the Clerk of the Court and made a part of the case file.

If the parties do not all consent, then the case will be administered as set forth in Fed. R. Civ. P. 73(b).

This General Order will become effective November 1, 1999 and will supersede General Order No. 98.

B. Lynn Winmill
Chief U.S. District Judge

Edward J. Lodge
U. S. District Judge

Mikel H. Williams,
Chief U.S. Magistrate Judge

Larry M. Boyle,
U.S. Magistrate Judge