

**IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO**

RE: AMENDMENT OF THE SIXTH
JUDICIAL DISTRICT LOCAL RULES

ADMINISTRATIVE ORDER
2026-7

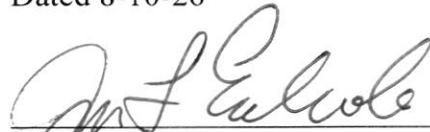
WHEREAS the Local Rules of the District Court and Magistrate Division for the Sixth Judicial District are in need of amendment to update certain local rules and to reflect changes in judicial assignments; and

NOW, THEREFORE, pursuant to the authority provided by I.R.C.P. 1(c) and I.C.R. 2(c), the District Judges of the Sixth Judicial District hereby amend the Local Rules of the District Court and Magistrate Division for the Sixth Judicial District, effective upon approval and publication by the Idaho Supreme Court.

The amended Local Rules are attached hereto and incorporated herein by reference.

IT IS SO ORDERED.

Dated 8-10-26



Javier Gabiola
Administrative District Judge
Sixth Judicial District

cc: Sara Omundson, Administrative Director of the Courts
All Judges in the Sixth Judicial District
Trial Court Administrator, Sixth Judicial District
Sixth District Clerks of the District Court
Idaho Supreme Court
Idaho State Bar Association

SIXTH JUDICIAL DISTRICT
Directory and Local Rules
2026

ADMINISTRATIVE JUDGE	MAGISTRATE JUDGES	<u>CARIBOU COUNTY</u>	<u>POWER COUNTY</u>
Hon. Javier L. Gabiola 624 E. Center, Room 310 Pocatello, ID 83201 (208) 236-7250 Court Reporter: Laura Whiting 624 E. Center, Room 310 Pocatello, ID 83201 (208) 236-7254 DISTRICT JUDGES Hon. Cody L. Brower 159 South Main PO Box 775 Soda Springs, ID 83276 (208) 547-2146 Court Reporter: Vacant 159 South Main PO Box 775 Soda Springs, ID 83276 (208) 547-2146 Hon. Robert C. Naftz 624 E. Center, Room 303 Pocatello, ID 83201 (208) 236-7252 Court Reporter: Stephanie Davis P.O. Box 4316 Pocatello, ID 83205 (208) 236-7247 Hon. Rick Carnaroli 624 E. Center, Room 302 Pocatello, ID 83201 (208) 236-7244 Court Reporter: Stephanie Morse 624 E. Center, Room 302 Pocatello, ID 83201 (208) 236-7009	<u>BANNOCK COUNTY</u> Hon. Scott E. Axline 624 East Center, Room 209 Pocatello, ID 83201 (208) 236-7255 Hon. Anson L. Call II 624 East Center, Room 108 Pocatello, ID 83201 (208) 234-1087 Hon. David K. Penrod 624 East Center, Room 313 Pocatello, ID 83201 (208) 236-7242 Hon. C. Tippi Jarman 624 East Center, Room 322 Pocatello, ID 83201 (208) 236-7236 Hon. Aaron N. Thompson 624 East Center, Room 112 Pocatello, ID 83201 (208) 236-7322 Clerk of the Court Jason Dixon 624 East Center, Room 211 Pocatello, ID 83201 (208) 236-7343 jdixon@bannock.idcourts.gov <u>BEAR LAKE COUNTY</u> Hon. R. Todd Garbett 30 N. Main P.O. Box 190 Paris, ID 83261 (208) 945-2208, Ext. 6 Clerk of the Court Amy Bishop 30 N. Main P.O. Box 190 Paris, ID 83261 (208) 945-2212, Ext. 5 abishop@bearlake.idcourts.gov	Hon. David W. Cousin 159 South Main P.O. Box 775 Soda Springs, ID 83276 (208) 547-4342 Clerk of the Court Jill Stoor 159 South Main P.O. Box 775 Soda Springs, ID 83276 (208) 547-4324 jstoor@caribou.idcourts.gov <u>FRANKLIN COUNTY</u> Hon. Eric S. Hunn 39 West Oneida Preston, ID 83263 (208) 852-0877 Clerk of the Court Camille Larsen 39 West Oneida, Room 2 Preston, ID 83263 (208) 852-1090 clarsen@Franklin.idcourts.gov <u>ONEIDA COUNTY</u> Hon. David A. Hooste 10 Court Street Malad City, ID 83252 (208) 766-4116, Ext. 112 Clerk of the Court Lon Colton 10 Court Street Malad City, ID 83252 (208) 766-4116 Ext. 100 lcolton@oneida.idcourts.gov	Hon. Adam Strong 543 Bannock American Falls, ID 83211 (208) 226-7619 Clerk of the Court Sharee Sprague 543 Bannock American Falls, ID 83211 (208) 226-7611 ssprague@power.idcourts.gov TRIAL COURT ADMINISTRATOR Jason Dye 624 East Center, Room 307 Pocatello, ID 83201 (208) 236-7379 jdye@idcourts.gov Lacy Parker, Deputy TCA 624 East Center, Room 307 Pocatello, ID 83201 (208) 236-7017 lparker@idcourts.gov Brandy Peck, Administrative Assistant TCA Office 624 East Center, Room 307 Pocatello, ID 83201 (208) 236-7379 bpeck@bannock.idcourts.gov Schedules and information regarding Sixth District Treatment Courts can be found at: https://www.bannockcounty.us/pse/.

Designation of Presiding District Judges.

District Judges Rick Carnaroli, Javier L. Gabiola, Robert C. Naftz and Cody L. Brower are the presiding district judges in Bannock County. Hon. Rick Carnaroli is the presiding district judge in Power County. Hon. Cody L. Brower is the presiding district judge in Bear Lake, Caribou, and Oneida Counties. Hon. Robert C. Naftz is the presiding judge in Franklin County.

Scheduled District and Magistrate Court Calendars:

Law and Motion Days. Law and Motion Days for District Judges are established for each County as follows:

Bannock County Civil Proceedings

Judge Brower.....1st and 3rd Fridays at 9:00 a.m.
Judge Carnaroli.....Each Monday at 1:30 p.m.
Judge Gabiola.....Each Monday at 2:00 p.m.
Judge Naftz.....Each Monday at 2:30 p.m.

Criminal (Arraignments and other criminal proceedings) Bannock County

Judge Carnaroli.....Each Monday at 8:30 a.m.
Judge Gabiola..... Each Monday at 9:30 a.m.
Judge Naftz.....Each Monday at 9:00 a.m.
Judge Brower1st and 3rd Friday at 9:00 am

Bear Lake County.....1st and 3rd Thursdays at 9:00 a.m.

Caribou County.....2nd and 4th Tuesdays at 9:00 a.m.

Franklin County.....2nd, 4th and 5th Thursdays at 9:00 a.m.

Oneida County.....4th Friday of each month at 9:30 a.m.

Power County.....2nd Friday of each month at 9:30 a.m.

General Law and Motion and Criminal Arraignments for Magistrate Courts are scheduled as follows:

Bannock County	Law and Motion: Mondays at 9:00 a.m.
Judge Axline	
Judge Penrod	Arraignments 1:30 daily
Judge Jarman	Small Claims 9:00am 1 st and 3 rd Mondays
Judge Thompson	Contact the judge's deputy clerk to schedule any other hearing.
Judge Call	

Juvenile

Mondays: 8:30 a.m. Arraignments for county, OSC's and probation reviews. 11:00 a.m. - 1:30 p.m. Family Treatment Court.

Tuesdays: 1:15 p.m. Arraignments, 4:00 p.m. Juvenile Drug Court, 4:30 p.m. Truancy Court, 4:45 p.m. Behavior Court

Wednesdays: 8:15 a.m. - 10:30 a.m. Pre-trials scheduled 2 every 15 minutes.

Thursdays: 8:30 a.m. OSC's and probation reviews.

All other available times: (Monday afternoon, Tuesday morning, Wednesday afternoon, Thursday afternoon, and Friday): civil cases, child protection cases and other juvenile hearings.

Bear Lake County	Civil: Tuesdays at 9:00 a.m. Criminal: Wednesdays at 9:30 a.m. Juvenile: 3rd Friday at 10 a.m.
Judge Garbett	

Caribou County	Criminal: Wednesdays Civil: Mondays and Thursdays, 1st and 3rd Fridays Juvenile: Wednesdays at 2:00 p.m.
Judge Cousin	

Franklin County	Criminal: Wednesdays at 9:00 a.m. Civil: 2 nd , 3 rd , and 4 th Mondays at 9:00 am Juvenile: 1 st and 3 rd Thursday at 1:00 pm Small Claims: Second Tuesday of the month (Judge Hooste).
Judge Hunn	

Oneida County	Criminal: Tuesdays and Thursdays at 9:00 a.m. Civil: Scheduled as needed on Tuesdays, Thursdays or Fridays. Small Claims: First Monday of the month 10:00 a.m. (Judge Hunn).
Judge Hooste	

Power County	Mondays: Civil 9:00 a.m. - 12:00 p.m. and 1:30 p.m. - 4:00 p.m., Arraignments 12:00 p.m. - 1:30 p.m. Tuesdays & Wednesdays: Criminal Wednesday: Juveniles 3:00 p.m. Thursdays: Bannock County Fridays: 1 st and 3 rd Bannock County, 2 nd and 4 th Power County
Judge Strong	

ADMINISTRATIVE ORDER ADOPTING RULES AND ASSIGNING JURISDICTION FOR THE DISTRICT AND MAGISTRATE JUDGES OF THE SIXTH JUDICIAL DISTRICT

The District Judges of the Sixth Judicial District, desire to consolidate prior orders, clarify jurisdictional assignments, refine the rules of the District Court and the rules for the Magistrates Division.

Now, therefore, it is hereby ordered:

Trial Court Administrator. The Trial Court Administrator shall be responsible for caseload management, assignment of Magistrates Judges, supervision of the Clerk's Deputy Clerks in the discharge of clerical functions of the Courts, supervising the jury system and District Courts' budgets along with other duties set forth by the Administrative District Judge and the Administrative Director of the Courts.

Assignment of Cases in Bannock County. In Bannock County, all cases assigned to the Sixth District Court shall at the time of filing, be assigned by the Clerk to a specific judge on a rotating basis. Nothing in the preceding shall prevent the assignment of civil and criminal cases in any County to any judge as the said judges might determine is necessary to expeditiously handle the caseload.

Special Case Assignments in Bannock County.

All Bannock County cases involving JCA, CPA, termination of parental rights, contested adoptions arising from the prosecutor's office and/or the DHW, guardianship and conservatorships cases arising from CPA actions, and any drug, alcohol and misdemeanor charges for youth under age 18 (**ADO 09-6**), shall be heard by **Hon. Anson L. Call**.

Special proceedings, which include private adoptions, petitions to compromise a minor's claim, and general guardianship and conservatorships, shall be heard by **Hon. Aaron N. Thompson**. All calendaring for Judge Thompson's special proceedings shall be made by calling Deputy Clerk Brandy Peck at (208) 236-7379.

Hon. C. Tippi Jarman and Hon. David K. Penrod shall hear estate and probate matters.

Hon. Scott E. Axline shall preside over all misdemeanor charges of domestic violence, and stalking. He shall also preside over all preliminary hearings involving charges of felony domestic violence, stalking, and attempted strangulation. In addition, all domestic violence civil protection hearings shall be heard by Judge Axline every Tuesday at 1:30 p.m. unless otherwise assigned.

Hon. Eric S. Hunn and Hon. David W. Cousin shall hear all petitions for protection orders filed pursuant to I.C. 18-7907 every Tuesday at 9:00 AM unless otherwise assigned.

Hon. C. Tippi Jarman shall hear hospitalization cases in Bannock County.

- 1. Motions for Civil and Criminal Cases.** Unless ordered otherwise by the court, except for a stipulated or uncontested motion, each motion and response to such motion, other than a motion to suppress or stipulated/uncontested motion, must be accompanied by a separate memorandum not to exceed twenty-five (25) pages, containing all of the reasons and points and authorities relied upon by moving party. Any reply brief submitted by the moving party may not exceed fifteen (15) pages, unless otherwise ordered by the court.

1.1 Any motion to suppress must describe the evidence sought to be suppressed and the legal basis for its suppression sufficiently to give the opposing party reasonable notice of issues. (ICR12(c)).

- 2. Jurisdiction of Attorney Magistrates.** Jurisdiction is hereby granted, and the following classes or categories of cases are hereby assigned to all Attorney Magistrate Judges of the Sixth Judicial District:

2.1 All matters designated in Idaho Court Administrative Rules Part I or I.C. § 1-2208 as being within the jurisdiction or assignable to attorney magistrates.

2.2 Small Claims Department. Pursuant to the provisions of § 1-2301, Idaho Code, there is hereby created a Small Claims Department of the Magistrates Division which shall have jurisdiction only in cases for the recovery of money where the amount of each claim does not exceed \$ 15,000.00.

2..3 All drug forfeiture cases filed pursuant to IC § 37-2744, regardless of value, shall be heard in the Magistrate Division of the District Court. (**ADO 15-2**).

3. Mandatory Pretrial Conferences in Bannock County. A mandatory pretrial conference will be held for every proceeding under the Idaho Traffic Infraction Act and all misdemeanor actions in which a plea of not guilty has been received. Notice of the time and place of the pretrial conference and the Judge assigned to preside will be given upon entry of the not guilty plea.

3.1 Initial pretrials in Bannock County for all misdemeanor cases (excluding domestic violence & stalking) shall be set on Thursday of each week. (**ADO 12-4**).

4. Reduction of Felonies. Felonies reduced to misdemeanors in the district court may be sentenced in accordance with the Felony Case Flow Management Plan Rule 2.2 or remanded to the magistrate who presided over the preliminary hearing.

4.1 Change of Plea on Felony Reduction to a Misdemeanor. If the District Court takes a plea of guilty at the time of reduction of the charge the Defendant shall complete a "Certificate of Rights" form prior to entry of the plea.

5. Change of Plea. All defendants must complete a Guilty Plea Questionnaire, Agreement of Supervision, PSI face sheet, and 19-2601(b) Waiver forms prior to entry of a change of plea for a felony in district court. Completed forms shall be provided to the court at least 24 hours prior to the hearing. Forms may be downloaded at: www.bannockcounty.us/courts/criminal/.

6. Pretrial Release Program. The Courts of the District will participate in the Bannock County Pretrial Release Court Services Program as administered under guidelines established by **ADO 16-5**.

7. Request and use of Electronic Recordings of Court Proceedings. All requests for and use of electronically recorded court proceedings must comply with ICAR 32, IAR 27 (d) & (e), and **ADO 08-3**.

8. Criminal Case flow Management Plan. The District Judges of the Sixth Judicial District adopt and hereby incorporate into these local rules those Case flow Management Plans as adopted by the Sixth Judicial District Judges and approved by the Idaho Supreme Court. The Plans approved as of this date are the Felony Criminal, Child Protection, and Family Law Case Flow Management Plan. The plans are accessed at <https://isc.idaho.gov/district-6>.

9. Felony Criminal Filings: Felony criminal filings for in-custody defendants must be filed with the clerk not later than 11:00 am on the day of the arraignment hearing. Any late filings must be approved by the presiding judge. A criminal complaint, indictment, or information filed by the State must include the maximum penalty for each charge against the defendant.

10. Criminal Histories: Prior to sentencing the state will provide the court a summary of the defendant's criminal history.

11. Mediation: Pursuant to IFLR 602 and 603 mediation will be seriously considered when child custody and visitation issues are involved. Mandatory attendance at a parenting education course is required in Bannock County for all parties filing divorces that involve children under age 18 and for all proceedings that involve child custody issues. Judges in other counties within the Sixth Judicial District may order this class.

11.2 Mediation in all civil cases filed with district court is strongly encouraged and may be mandatory at the court's discretion.

11.3 Mediation in criminal cases is available pursuant to ICR 18.1. Those interested in criminal mediation should review the Criminal Mediators Roster maintained by the Idaho Supreme Court to determine the availability of qualified mediators in the Sixth Judicial District.

12. No Joint Petitions for Divorces shall be accepted in the Sixth Judicial District.

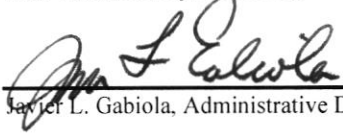
12.1 Proceedings to Modify Decree of Divorce. All proceedings to modify a decree of divorce shall be commenced in accordance with Idaho Family Law Rule (IFLR) 201.

13. Entry of Default Judgments. No clerk or deputy clerk shall sign any judgment. All proposed judgments shall be forwarded to the judge assigned the case for review and signature. (ADO 92-8).

14. Civil Protection Order Filings. Civil protection order petitions filed after 4:00 P.M. on a judicial day will not be reviewed by the court until the next judicial day. The assigned judge has the discretion to review a petition filed after 4:00 p.m. upon considering the availability of court staff to process the documents during business hours.

15. Bond Forfeitures. Courts in the Sixth Judicial District will not accept bond forfeitures where the amount is less than assessed court costs.

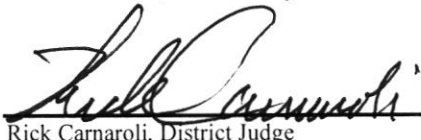
This order supersedes all prior orders of the court referring to the matters contained herein and is effective upon approval from the Idaho Supreme Court.



Javier L. Gabiola, Administrative District Judge



Robert C. Naftz, District Judge



Rick Carnaroli, District Judge



Cody L. Brower, District Judge