

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

RE: INCLUSION OF MAGISTRATE JUDGES ) General Order No. 98  
IN CIVIL CASE ASSIGNMENT PROCESS )  
)

IT IS HEREBY ORDERED that, pursuant to the Civil Justice Reform Act, 28 U.S.C. § 471, and in the interest of justice, 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 case load.

The failure of a party litigant to file a written objection and/or demand for reassignment to an Article III Judge with the Clerk of the Court within ten (10) days after the last defendant appears shall be deemed to constitute a consent under 28 U.S.C. § 636(c)(1) and shall operate as a waiver by the party to have any pretrial matter heard and determined, or trial proceedings conducted and judgment entered, by an Article III Judge.

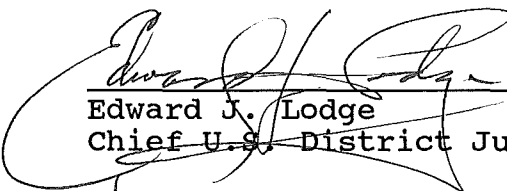
Unless the parties agree otherwise, as provided for under 28 U.S.C. § 636(c)(4), the appeal of any judgment entered by a full-time Magistrate Judge in a case assigned under this general order shall be made directly to the Ninth Circuit Court of Appeals pursuant to 28 U.S.C. § 636(c)(3).


If a party elects to opt out of the initial assignment to a Magistrate Judge within the prescribed time limit, that case will be randomly reassigned to an Article III District Judge.


Nothing in this general order shall be construed as an attempt to deprive or abridge a party's constitutional right to an Article III Judge nor affect the voluntariness of the party's consent.

This general order will become effective November 1, 1993, and will supersede Local Rule 72.1 only to the extent that they are inconsistent or conflict.

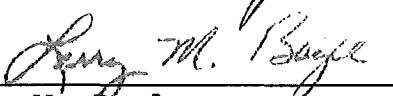
<sup>EPK</sup>  
Dated: November 1, 1993

  
Edward J. Lodge  
Chief U.S. District Judge

  
Marion J. Callister  
Senior U.S. District Judge

  
Harold L. Ryan  
Senior U.S. District Judge

  
Mikel H. Williams  
Chief U.S. Magistrate Judge

  
Larry M. Boyle  
U.S. Magistrate Judge

EPK  
RECEIVED  
U.S. DISTRICT COURT  
D. IDAHO  
NOV 1 1993

**CLERK'S CERTIFICATE OF MAILING**

I certify that a copy of the attached document was mailed to the following named persons:

Chief Judge Lodge  
Sr. Judge Callister  
Sr. Judge Ryan

Chief Judge Pappas  
Judge Hagan

Chief Magistrate Judge Williams  
Magistrate Judge Boyle

Ninth Circuit Library  
San Francisco, CA

Cameron S. Burke, Clerk

DATED: November 3, 1993

CAMERON S. BURKE, CLERK

By: Glenda Longstreet