

FILED
8:09 A.M. P.M.
DEC 11 2008
CANYON COUNTY CLERK
H. OLVERA, DEPUTY

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

In the Matter of the Management, Security, Conduct)
And Decorum of Persons in the Court Buildings and)
Annexes of the Third Judicial District)

Administrative
Order
2008-5
(Amending 2001-3)

WHEREAS, the Third Judicial District Court desires to maintain an efficient judiciary responsive to the safeguard and protection of those individuals requiring the use of the various court buildings in the Third Judicial District, and

WHEREAS, the Administrative Judge is charged by the statutes of Idaho with the administrative supervision and authority over the operation of the District Courts (Ref. I.C. 1-907). Acting in his inherent power to control all actions and conduct within the various court buildings of the Third Judicial District and to insure the safety of said buildings, the employees and members of the judiciary therein, all persons lawfully entering and using said public buildings, and all litigants and their counsel in matters coming before the Courts, the Administrative Judge does hereby enter this order to provide for the management and security of the various courthouses in the district and the orderly conduct of all proceedings therein;

NOW, THEREFORE, IT IS ORDERED that all persons entering the courthouses of the Third Judicial District, State of Idaho, except bona fide peace officers, as described in the Idaho Code, court security officers, prosecutors and their staff, state and federal peace officers of the state and federal governments and persons authorized to secure the public buildings of the State of Idaho, are hereby prohibited from carrying or having readily accessible to them at any place inside of the courthouses and court annex buildings of the Third Judicial District, State of Idaho, any firearms, dangerous weapons, explosives, or incendiary devices, without prior written approval of the Administrative Judge or a Resident Judge obtained upon the showing of good cause of the necessity for the possession of such an item. **However, no individual exempted above from the provisions of this paragraph is authorized to carry a weapon of any kind, whether concealed or openly displayed, when appearing in any court facility in a personal or otherwise unofficial capacity.**

IT IS FURTHER ORDERED that all persons entering or being in a court building located in the Third Judicial District, including, but not limited to, the official courtrooms therein, and areas adjacent thereto, are hereby prohibited from uttering loud, threatening or abusive language or otherwise engaging in any disorderly or disruptive conduct at any place within said building, or committing any of said acts with intent to impede, disrupt, or disturb the orderly conduct of any session of the court or any other judicial body or tribunal holding a proceeding therein.

The term "courthouse of the Third Judicial District" shall mean any courthouse, court annex building, district court clerk office or annex, or any facility housing court related offices.

IT IS FURTHER ORDERED that upon disclosure of this order to any person committing any of the proscribed acts, unless such person immediately ceases and desists from committing the proscribed acts and complies with any order or direction of any peace officer, court security officer, judicial officer, or employee of the court in furtherance of this order, that such person shall be in contempt of this order and may be imprisoned or fined upon order of the court.

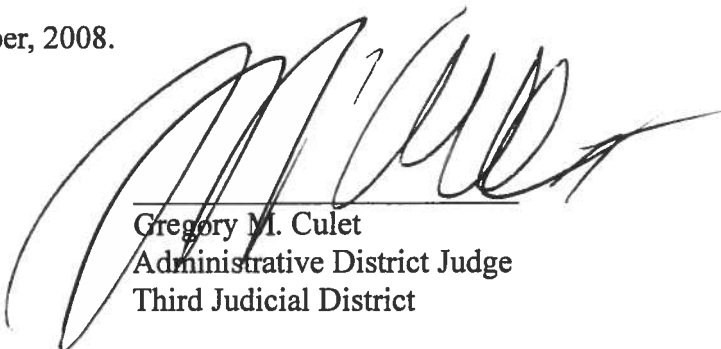
IT IS FURTHER ORDERED that copies of this order shall be posted at conspicuous places throughout the court buildings, district court clerks' offices and other annexes which are considered to be annexes of the courthouses of the Third Judicial District to provide notice to all parties entering the buildings or annexes.

IT IS FURTHER ORDERED that any peace officer or court security officer observing a person acting in conflict with this order is hereby instructed and ordered to take such person(s) into custody and at the appointed time bring them before the court or a Judge of the District Court or a Judge of the Magistrate Division of the District Court thereof, to make a determination of whether there has been an action in contempt of this order.

IT IS FURTHER ORDERED that the Trial Court Administrator shall have the responsibility and authority to assist in the implementation and management of security in any of the court buildings or annexes as mentioned in this order.

IT IS FURTHER ORDERED that the Administrative Judge has the responsibility and the authority to assign security personnel to judges, court personnel, jurors and other persons when he or she feels it necessary or desirable to do so, in the interest of the orderly discharge of judicial duties within the Third Judicial District.

Dated this 8 day of December, 2008.



Gregory M. Culet
Administrative District Judge
Third Judicial District