

TITLE 1
COURTS AND COURT OFFICIALS

CHAPTER 1
ENUMERATION OF COURTS

1-101. COURTS ENUMERATED. The following are the courts of justice of this state:

1. The Supreme Court.
2. The Court of Appeals.
3. The district courts.
4. The magistrate's division of the district courts.

[(1-101) C.C.P. 1881, sec. 17; R.S., R.C., & C.L., sec. 3810; C.S., sec. 6440; I.C.A., sec. 1-101; am. 1969, ch. 108, sec. 1, p. 363; am. 1983, ch. 18, sec. 1, p. 52.]

1-102. COURTS OF RECORD. The courts enumerated in section [1-101](#), Idaho Code, are courts of record.

[(1-102) C.C.P. 1881, sec. 18; R.S., R.C., & C.L., sec. 3811; C.S., sec. 6441; I.C.A., sec. 1-102; am. 2005, ch. 95, sec. 1, p. 315.]

1-103. PROBATE, POLICE AND JUSTICE OF THE PEACE COURTS ABOLISHED -- TRANSFER OF JURISDICTION. All probate courts, justice of the peace courts, and police courts shall cease to exist on the date [January 11, 1971] as provided in this act. Wherever the words probate court, justice court or police court appear in the Idaho Code they shall mean the district court, or the magistrate's division of the district court, as the case may be, and any power, duty, responsibility, function or jurisdiction of the probate court, justice court or police court shall be transferred to the district court or the magistrate's division of the district court, as the case may be. Wherever the words judge, probate judge, justice of the peace or police judge appear in the Idaho Code they shall mean the district judge or the magistrate of the district court, as the case may be, and any power, duty, responsibility, function or jurisdiction of the probate judge, justice of the peace, or police judge shall be transferred to the district judge or the magistrate of the district court, as the case may be.

[1-103, added 1969, ch. 100, sec. 1, p. 344.]

1-104. ALL ACTIONS FILED IN DISTRICT COURT. From and after the effective date [January 11, 1971] of this act, all actions of any kind shall be filed in the proper district court, as provided by law or rules of the Supreme Court, and any provision of law to the contrary is hereby declared to be null and void and of no effect.

[1-104, added 1969, ch. 100, sec. 5, p. 344.]

1-105. CRIMINAL PROCEDURE -- SUPREME COURT RULES GOVERN. Procedures in the district court or magistrate's division of the district court involving criminal actions which, prior to January 11, 1971, were triable in the probate court, justice court or police court, shall be governed by rules of the Supreme Court.

[1-105, added 1969, ch. 100, sec. 6, p. 344; am. 1971, ch. 255, sec. 1, p. 1030.]