

(Rev. 7/1/09)

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO**
(For Cases Initially Assigned to District Judge)

| | | |
|-------------|---|--------------------------------|
| [Plaintiff] |) | |
| |) | Case No. |
| Plaintiff, |) | |
| |) | Notice of Availability of a |
| vs. |) | United States Magistrate Judge |
| |) | and Consent Form |
| [Defendant] |) | |
| |) | |
| Defendant. |) | |
| |) | |

In accordance with 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and District of Idaho General Order No. 237, you are notified that a United States Magistrate Judge of this District Court is available to exercise the Court’s jurisdiction and to conduct any or all proceedings in this case, including a jury or non-jury trial, and entry of a final judgment. Exercise of this jurisdiction by a United States Magistrate Judge is available only if all parties file a written consent, a copy of which is included in this notice.

To ensure the efficient handling of this case, counsel who desire to consent to the assignment of this case to a Magistrate Judge should return this form within 60 days of receipt to the Clerk of Court in .pdf format to consents@id.uscourts.gov. The parties also may file a joint consent, similar to a stipulation, before or after receiving this Notice. If you are a pro se litigant, you may mail this form to the following address: U.S. District Court, 550 W. Fort St. Room 400, Boise, ID 83724. The Clerk of Court will take reasonable steps to ensure voluntariness and confidentiality of the consent process. Any party may, without adverse substantive consequences, withhold consent, which will require that a District Judge enter all final orders in the case. The Clerk of Court will keep custody of all consent to proceed forms under seal until it is determined whether all parties have consented to proceed before a Magistrate Judge. If consents are not received from all parties, the case will remain with the District Judge. If all parties decide to consent to have the case reassigned to a Magistrate Judge after the Rule 16.1 scheduling conference, the District Judge may decide not to permit reassignment if it would not be an appropriate use of judicial resources.

The Judicial Conference of the United States has declared a judicial emergency in the District of Idaho. A judicial emergency is defined as a District Court with “more than one authorized Article III judgeship and only one active” District Judge. Notwithstanding, if consents are not received from all parties, the case will remain with a District Judge, although it may be reassigned to another District Judge in the District of Idaho or a District Judge visiting from another District. If all parties decide to consent to have the case reassigned to a Magistrate Judge after the Rule 16.1 scheduling conference, the District Judge may decide not to permit reassignment if it would not be an appropriate use of judicial resources.

An appeal from a judgment entered by a United States Magistrate Judge will be directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of this District Court. 28 U.S.C. § 636(c); Fed.R.Civ.P. 73.

**CONSENT TO THE EXERCISE OF JURISDICTION
BY A UNITED STATES MAGISTRATE JUDGE**

In accordance with provisions of 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, the undersigned party to this case consents to have a United States Magistrate Judge conduct any and all proceedings in this case, including the trial, and order the entry of a final judgment.

Party Represented

Signature

Date
