

**CIVIL RULE 40.1**  
**ASSIGNMENT OF CASES**

Civil and criminal cases will be assigned by the Clerk to the respective judges of the Court by lot. If it appears to the Court that a case has been improperly assigned to a division of the Court for any reason, the Court may, in its discretion, reassign the case to ~~another calendar area~~ the correct division without prior notice.

Death penalty and pro se cases are assigned on a rotating basis founded upon workload and relative assignment of a companion case.

**RELATED AUTHORITY**

28 U.S.C. § 137  
Fed R. Civ. P. 40

[See also dist. Idaho L. Rule 3.1 \(Venue\)](#)