

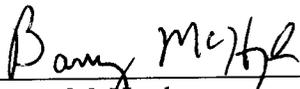
**IN THE DISTRICT COURTS OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO**

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| <b>IN RE: ORDER AUTHORIZING HON.<br/>MAYLI WALSH TO PRESIDE OVER<br/>KOOTENAI COUNTY MENTAL<br/>HEALTH COURT PROBATION<br/>VIOLATIONS DISPOSITIONS</b> | <b>ADMINISTRATIVE ORDER<br/><br/>AR25-KOO.1</b> |
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WHEREAS, prioritizing the goal of continuity in dispositions upon termination and to maintain the integrity of the First District Mental Health Court program in conjunction with Administrative Order AR22-KOO.2 and the appended June 16, 2025, Idaho Supreme Court Order,

**IT IS HEREBY ORDERED** that, pursuant to Idaho Court Administrative Rule 7(b), the appointed *pro tem* district judge presiding over the Kootenai County Mental Health Court, Judge Mayli Walsh, be expressly permitted to preside over all disposition hearings stemming from termination from participation in Mental Health Court provided that the assigned district judge of the participant consents in advance.

IT IS SO ORDERED this 23<sup>rd</sup> day of June 2025.

  
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Barry McLaugh  
Administrative District Judge

cc: TCA- Lisa Chesebro

AR25-KOO.1

# In the Supreme Court of the State of Idaho

**IN RE: ORDER AUTHORIZING HON. MAYLI )  
WALSH TO PRESIDE OVER KOOTENAI COUNTY ) ORDER  
MENTAL HEALTH COURT PROBATION )  
VIOLATION DISPOSITIONS )**

Administrative District Judge Barry McHugh requested that this Court, pursuant to Idaho Court Administrative Rule 5.1, appoint the Honorable Mayli Walsh, magistrate judge for Kootenai County, Idaho, who has been assigned to the Kootenai County Mental Health Court, to preside over probation violation disposition hearings when individuals are terminated from the Kootenai County Mental Health Court. The request has been made to ensure continuity of disposition among individuals terminated from the program and to maintain the integrity of the Mental Health Court program. The request provided that Judge Walsh would undertake that responsibility only with the consent of the district judge who ordered a defendant to participate in the Mental Health Court program.

Idaho Treatment Court Rule 18(a) through (d) provides:

- (a) Except for the provisions found in this rule applicable only to a participant's termination from a Treatment Court, sentencing and disposition proceedings will be conducted as set forth in applicable statute and rule.
- (b) A motion for a probation violation or a violation of any condition of a presentence agreement of participation in Treatment Court is not required to be filed if an order of termination has already been entered in the record and the court may proceed directly to sentencing or disposition.
- (c) The judge presiding over a participant's termination proceedings may preside over the sentencing or disposition proceedings, so long as that judge has authority to do so.
- (d) If the judge that presided over a participant's termination proceedings elects not to preside over a participant's sentencing or disposition proceedings or the judge does not have the authority to preside over a felony sentencing or disposition proceedings, the judge shall recuse and refer the matter for reassignment within the same judicial district as the Treatment Court.

Idaho Court Administrative Rule 5.1(b)(1) provides:

- (b) Assignment of Additional Cases to Magistrates. The following additional cases may be assigned to magistrates when approved by the administrative district judges of a judicial district:

(1) The trial and related hearings, and sentencing upon conviction, of felony proceedings when approved by order of the Supreme Court upon application by the administrative judge of a judicial district.

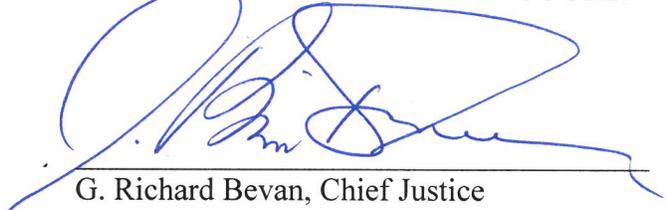
IT IS HEREBY ORDERED AS FOLLOWS:

1. The request is granted;
2. Administrative District Judge McHugh will issue an order under ICAR 7(b) consistent with the authority provided by this order.
3. Judge McHugh's order will provide that Judge Mayli Walsh is authorized to preside over probation violation disposition hearings when individuals are terminated from Kootenai County Mental Health Court, provided that the assigning district judge of the participant consents, in advance, to Judge Walsh's so presiding. To be clear, this is an opt-in, rather than an opt-out requirement.

IT IS FURTHER ORDERED that this order shall be effective immediately.

DATED this 16<sup>th</sup> day of June, 2025.

BY ORDER OF THE SUPREME COURT:



G. Richard Bevan, Chief Justice

ATTEST:



Chief Deputy Clerk,

For: Melanie Gagnepain, Clerk

cc: First District TCA, Lisa Chesebro  
Administrative District Judge, Barry McHugh  
Honorable Mayli Walsh  
Sara Omundson