

Rule 63-I. Bias or Prejudice of a Judge or Magistrate Judge

(a) RECUSAL FOR BIAS OR PREJUDICE. Whenever a party to any proceeding makes and files a sufficient affidavit that the judge or magistrate judge before whom the matter is to be heard has a personal bias or prejudice either against the party or in favor of any adverse party, such judge or magistrate judge must proceed no further, and the Chief Judge or the Chief Judge's designee must assign another judge or magistrate judge to hear such proceeding.

(b) CONTENT OF AFFIDAVIT; FILING. The affidavit must state the facts and the reasons for the belief that bias or prejudice exists and must be accompanied by a certificate of counsel of record stating that it is made in good faith. The affidavit must be filed at least 24 hours prior to the time set for hearing of such matter unless good cause is shown for the failure to file by such time.

COMMENT TO 2018 AMENDMENTS

This rule conforms to Civil Rule 63-I. It contains the provisions previously found in Rule 63(b).