

DISTRICT COURT
Fifth Judicial District
County of Twin Falls, Idaho

APR 30 2004

By Clerk
 Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

RE: IDAHO CODE § 1-2218

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) 04-13
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ADMINISTRATIVE ORDER

WHEREAS, Administrative Order 95-10 was entered on August 2, 1995; and,
WHEREAS, Administrative Order 03-03, which Amended Administrative Order
95-10 was entered on July 31, 2003; and,

WHEREAS, concerns arose between the County of Twin Falls and one or more
of the Cities subject to various aspects of the ordered reimbursement, pursuant to
Administrative Order 03-03; and,

WHEREAS, Administrative Order 04-01 was entered on February 4, 2004,
requiring the parties to agree on an allocation/reimbursement formula on or before
March 5, 2004, and if the parties were unable to agree, a hearing would be conducted
en banc before the District Judges of the Fifth Judicial District.

WHEREAS, the parties were not able to agree on an allocation/reimbursement formula and an en banc hearing was conducted on March 12, 2004; and,

WHEREAS, a Decision of the District Judges sitting en banc was entered on April 30, 2004,

NOW THEREFORE:

(1) Based on the Decision of the District Judges of the Fifth Judicial District sitting *en banc* fiscal year 2003-2004 ended September 30, 2004, the Cities of Twin Falls, Buhl, Kimberly, Hansen and Filer are ordered and directed to reimburse Twin Falls County in the following sums:

City of Twin Falls	\$207,200
City of Buhl	\$ 23,310
City of Kimberly and Hansen	\$ 22,200
City of Filer	\$ 9,250

(2) For each following fiscal year until further order, the Cities identified in paragraph 1 above shall reimburse Twin Falls County based on the following formula:

(a) That percentage of the total cost of "court operations" attributable to the magistrate division less those "recoverable costs" recovered by the Twin Falls County. The net costs of the Magistrate Division shall then be allocated between the County and Cities based upon each entity's percentage of the number of infraction and misdemeanor citations or filings as compared to the total number of such filings or citations.

"Court Operations" is defined to include personnel expense for court services; personnel expense for District Court; personnel expense for Court Security; court supplies and equipment; court facility maintenance; court housekeeping; utilities and telephone.

"Recoverable Costs" is defined to include costs recovered by the County attributable to infractions and misdemeanors including court costs; bond forfeitures; handling fees and administrative surcharges.

The County shall, on an annual basis, calculate and provide a reasonable estimate the percentage of the cost of court operations attributable to the Magistrate Division.

DATED this 30th day of April, 2004.

A handwritten signature in black ink, appearing to read "R. Barry Wood", is written over a horizontal line.

R. Barry Wood
Administrative Judge

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of May, 2004, a true and correct copy of the foregoing Administrative Order was served via U.S. Mail, or method otherwise indicated, to the following:

Honorable Barry Wood
PO Box 27
Gooding ID 83330

Honorable John Melanson
PO Box 2707
Twin Falls ID 83303

Honorable James J. May
201 2nd Ave S., Ste. 110
Hailey ID 83333

Bill Hollifield, City Prosecutor
PO Box 66
Twin Falls ID 83303-0066

Glenda Thompson, Twin Falls Mayor
PO Box 1907
Twin Falls ID 83303-1907

Honorable Monte Carlson
1459 Overland Ave.
Burley ID 83318

George Urie, Hansen Mayor
PO Box 152
Hansen ID 83334

Jim Sorensen, Kimberly Mayor
PO Box Z
Kimberly ID 83341

Honorable John Butler
300 N. Lincoln
Jerome ID 83338

Linda E. Wright, TCA
Hand Delivered

Kristina Glascock, Clerk
Courthouse Box

Honorable G. Richard Bevan
Hand Delivered

Grant Loebs, Prosecutor
Courthouse Box

Honorable John C. Hohnhorst
Hand Delivered

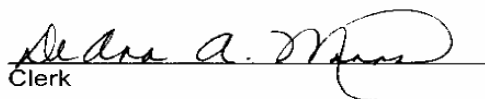
Twin Falls County Commissioners
Courthouse Box

Barbara Gietzen, Buhl Mayor
203 Broadway N.
Buhl ID 83316

Fritz Wonderlich, City Prosecutor
PO Box 1812
Twin Falls ID 83303

Jay Fort, Filer Mayor
PO Box 140
Filer ID 83328

Bill Nungester
PO Box 389
Twin Falls ID 83303


Clerk