IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO

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RE: Idaho Criminal Rule 46;)	2009 - 06
Forms in which bail may be posted in)	ADMINISTRATIVE ORDER
criminal cases.)	
)	

WHEREAS, Idaho Criminal Rule 46(f)(1), effective July 1, 2009, allows bail to be posted in the form of a cash deposit, and provides a definition of what constitutes a cash deposit, namely that it includes a money order, certified check, or cashier's check, and may include a personal check if approved by a judge. It further provides that a cash deposit may be made by credit card or debit card where procedures for the acceptance of such payments have been approved by the Administrative District Judge.

IT IS HEREBY ORDERED that the courts within the Fifth Judicial District who have the procedure in place to accept credit and/or debit cards, are hereby authorized to accept credit cards and debit cards for methods of payment of cash bail.

IT IS FURTHER ORDERED that because of forfeiture requirements and because any monies posted by anyone on behalf of the defendant which remains at the time of the sentencing must be used to satisfy a judgment if fine and costs are a part of that judgment, I.C. §19-2908, the name of the person or party posting the cash is to be placed on the receipt in the ISTARS system.

IT IS FURTHER ORDERED that the acceptance of personal checks for posting cash bail must be approved by the presiding judge of the criminal case in which the bail is to be posted.

IT IS SO ORDERED.

DATED this _____ day of July 2009.

BARRY WOOD

Administrative District Judge