



Misdemeanor Supervised Probation

The Mini-Cassia Misdemeanor Probation Department serves as an instrument for the Court in providing supervision to domestic violence court defendants in complying with the disposition order. The Probation Officer assists with the drug testing and coordination of court ordered treatment. The Probation Department provides information to the prosecuting attorney, who may elect to initiate a formal probation revocation action, a contempt proceeding or request to change in status of probation to unsupervised. A structured and monitored probation serves to reduced jail time and lessens the risks of reoffending by directing and assisting probationers in personal and community adjustment. Probation monitors the defendant's compliance including; attendance in court ordered treatment, following orders regarding contact with victims, payment of fees and /or restitution, and monitoring consumption of alcohol or illegal substances. Dedicated probation officers attend Domestic Violence Court review hearings and communicate to the court the status of the defendant while on probation.

On-Site Court Advocacy

There is a victim advocate available in both Minidoka and Cassia County to provide victims support, resources, referrals and information about the court process. A five session safety planning class and domestic violence education classes are available at no cost to the victim through the local woman's shelter as well. The director of the women's shelter is present at all review hearing proceedings.

Victim's Rights

A victim is contacted by the prosecutor's office within 24-48 hours of the initial arrest of the defendant. All Domestic Violence Court victims are notified by the prosecutorial agency of; their constitutional rights, upcoming hearings, victim's compensation and restitution and education regarding the VINE (Victim Information and Notification Link), no contact orders, civil protection orders and the court process. Prosecutorial agencies notify the victim of upcoming hearings and their right to be heard and will make referrals to the victim advocates and other resources as necessary.

Minidoka/Cassia Domestic Violence Court



Fifth Judicial District Domestic Violence Court Coordinator

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Minidoka/Cassia County Domestic Violence Court

Court Description

All Minidoka and Cassia County misdemeanor cases arising from a charge of domestic assault, battery, stalking or violation of protection order are assigned to the Domestic Violence (DV) Court Docket at the time of arraignment. Felony charges of attempted strangulation or felony domestic battery cases which are resolved by an amendment to a misdemeanor are assigned to the DV Court for sentencing. Domestic Violence Court is mandatory for misdemeanor domestic violence cases regardless of any amendment or reduced charge (i.e. Disturbing the Peace). All subsequent misdemeanor cases, for a defendant supervised by DV Court are assigned to the DV Court to promote consistent and efficient administration of justice.

The DV Court Judge presides over all including; Pre-trial Conferences, Trial, Motion Hearings, Dispositions, Order to Show Cause Proceedings, Review Hearings and No Contact Order Hearings. Domestic Violence cases are calendared to be resolved within 45-60 days from arrest. Accelerated hearings and dispositions of cases provides victim's access to services early in the process expedites the offender's entrance into treatment and increases the court's ability to monitor the offender and provide victim safety.

Other Pending Cases:

The DV Court Judge may also request to hear other pending civil cases (CPOR, Domestic Relations, and Child Protection which are related to the same parties) or criminal cases (DV Related, DUI's, Drug Related, etc.) The decision is left to the discretion of the DV Court Judge.

Protocol for Transferring Cases to the DV Court Judge:

Once a case is assigned to the DV Court, the DV Court Coordinator will identify other pending cases in Minidoka or Cassia County naming the defendant, which enables the Court to be aware of other existing orders, to avoid inconsistent orders and promote more consistent sentencing. Upon the request of the DV Court Judge, a clerk will provide the file(s) to the Court for review. The DV Court Judge or the parties in the other identified pending case(s) may initiate a request for the case(s) to be assigned to the DV Court Judge.

Domestic Violence Evaluations:

The court may order the defendant to obtain a domestic violence evaluation prior to sentencing. Defendants who have limited income and resources may qualify for grant funding which can cover up to 90% of the cost of the evaluation. If the defendant seeks the assistance with the cost of the evaluation he or she must go through the application process with the DV Court Coordinator prior to scheduling an appointment with an approved evaluator.

Judicial Review Hearings

Regular review hearings are set at the discretion of the Court.

These hearings follow a conviction and may involve participation from the Judge, prosecution, defendants, victims, victim witness coordinators, probation, treatment providers and the DV Court Coordinator. Defendants are required to appear before the Judge on a periodic basis throughout their probationary term to monitor their progress in most cases.

At review hearings, the Court will evaluate progress made in domestic violence and/or substance abuse treatment and any other areas of treatment to review compliance with any terms of probation. Compliance and non-compliance will be addressed at review hearings with probation present. Positive reinforcements and/or sanctions will be issued when appropriate.

No Contact Order Hearings

Motions to modify or terminate no contact orders (NCO) are heard by the DV Court. When hearing a NCO motion, the courts primary concern is victim safety and it may utilize the court file, criminal history, risk assessment and other available information to help determine the level of risk and what safety concerns are present. The victim will be referred to Mini-Cassia Women's Shelter for voluntary participation in safety planning, domestic violence education as well as any programs or groups available by that agency to assist the victim. The defendant may be asked to enroll in a domestic violence intervention program, substance abuse or mental health treatment prior to terminating an order.

In addition, if the Judge extends the NCO, the Court will issue an Order for Extension. If the Judge modifies the NCO, the court will issue an Order for Modification. The type of contact will be listed on the order. If the Judge terminates the NCO, the Court will issue an Order Terminating the No Contact Order.