

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

RE: NO CONTACT ORDERS AND)
RELATED FORMS FOR USE IN) 04-18
CRIMINAL CASES) AMENDED
) ADMINISTRATIVE ORDER
)
_____)

WHEREAS, I.C.R. Rule 46.2 requires that each judicial district shall adopt by Administrative Order a form for No Contact Orders for that district; and

WHEREAS, Idaho Code §18-920 provides that when a person is charged with, or convicted of, an offense under Idaho Code §§ 18-901, 18-903, 18-905, 18-907, 18-909, 18-911, 18-913, 18-915, 18-918, 18-919, 18-6710, 18-6711, 18-7905, 18-7906, or 39-6312, or any other offense for which a court finds that a No Contact Order is appropriate, an order forbidding contact with another person may be issued; and

WHEREAS, Idaho Code §18-920 provides that such No Contact Orders may be imposed by the court or by Idaho Criminal Rule; and

WHEREAS, I.C.R. Rule 46.2 provides that No Contact Orders issued pursuant to Idaho Code § 18-920 shall be in writing and served on or be signed by the defendant; and

WHEREAS, I.C.R. Rule 46.2 specifies certain requirements and advisories to be placed in No Contact Orders; and

WHEREAS, it is necessary to collect information for entry of No Contact Orders into the Idaho Law Enforcement Telecommunication System, (ILETS);

THEREFORE, EFFECTIVE JULY 1, 2004, IT IS HEREBY ORDERED:

1. The following attached forms shall be used in all counties of the Fifth Judicial District providing for no contact orders issued in criminal cases, pursuant to Idaho Code § 18-920;

Form 1: No Contact Order Pursuant to I.C.R. 46.2, I.C. § 18-920, and Fifth District Administrative Order 04-18;

Form 2: Victim Information Form; **Revision date 9/28/04**

Form 3: Motion to Modify or Dismiss No Contact Order;

Form 4: Order on Motion to Modify or Dismiss No Contact Order;

2. Any of the above, which are actually entered as orders, shall remain in full force and effect according to their terms or until modified or dismissed by order of the court.

3. The Clerk of the Court shall give written notification to the records department of the Sheriff's Office in the county in which a No Contact Order issues and any subsequent modification or dismissal thereof by noon the next judicial day and the information on the Order, or any subsequent modifications or termination thereof, shall be entered into the Idaho Law Enforcement Telecommunication System.

4. **Because there are no longer Administrative No Contact Orders, when**

the first No Contact Order is issued by the Court, the arresting officer shall complete Victim Information Form immediately, or the prosecuting attorney's office for that agency shall complete the Victim Information Form if no arrest is made, no later than forty-eight (48) hours after the entry of the court's order and immediately forward it to the record's department of the Sheriff's office.

5. A copy of this Administrative Order and attached forms shall be posted in every clerk's office and jail throughout the Fifth Judicial District.

6. A copy of this Administrative Order shall be published in one issue of *The Advocate* and shall also be mailed out by the Fifth District Bar Association in their next newsletter.

DATED this 28th day of September, 2004.

Barry Wood
Administrative District Judge

c: All Judges, All Clerks of the District Court, All Sheriffs,
All Prosecuting Attorneys, All Public Defenders, All Chief of Police