



Idaho Treatment Court Rule 5

Idaho Treatment Court Rule 5. Treatment Court Proceedings

(a) Scheduling and Court Case Management.

(1) Staffings and Treatment Court proceedings should be held at the same time and on the same day or same week, as consistently as possible.

(2) Staffings are not required to be scheduled in Idaho's court case management system.

(3) Treatment Court proceedings do not need to be scheduled in Idaho's court case management system. However, the Treatment Court Judge may require that the Treatment Court proceedings be scheduled in Idaho's court case management system, but only upon the approval and order of the Judicial District's Administrative Judge. Prior to any approval or order requiring the scheduling of Treatment Court proceedings in Idaho's court case management system by the Administrative District Judge, the Administrative District Judge must consult with the county's elected clerk and the Judicial District's Trial Court Administrator.

(b) Treatment Court Proceedings Presumed to be Open to the Public.

(1) All Treatment Court proceedings are open to the public, except as provided by the Idaho Court Administrative Rules, the Idaho Criminal Rules, the Idaho Rules of Evidence, or Idaho statutes.

(2) The presiding judge may only close a proceeding upon a finding that (1) closure would serve a compelling interest, and (2) there is a substantial probability that, in the absence of such closure, this compelling interest would be harmed, and (3) there are no alternatives to closure that would adequately protect the compelling interest at stake.

(3) If the presiding judge finds that an alternative to the closure would adequately protect the compelling interest, the alternative must be narrowly tailored to protect the compelling interest.



(4) Upon any order of closure or alternative to closure of a participant's proceedings, the presiding judge shall issue written findings supporting the order.

(c) Treatment Court Staffings Closed to the Public.

(1) All Treatment Court staffings shall be closed to the public, except as provided herein.

(2) A Treatment Court Judge shall have discretion to allow any non-Treatment Court Team member to attend staffing to address the needs of a participant.

(3) Treatment Court staffings are presumptively closed to participants unless the Treatment Court has good reason for a participant to attend discussions related to that participant's case.

(4) Treatment Court staffings shall not be on the record.

(5) Any notes, files, documents or other writings used exclusively in, or for purposes of, staffing individual cases shall be exempt from public disclosure.

(Adopted April 29, 2022, effective July 1, 2022.)

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