I.M.C.R. 12. Appointment of Persons to Receive Filings, Fees, Fines, Forfeitures and Bail Moneys.

Idaho Misdemeanor Crminal Rule 12. Appointment of Persons to Receive Filings, Fees, Fines, Forfeitures and Bail Moneys.

(a) Appointment. The administrative district judge may appoint such person or persons to administer oaths, accept pleas to misdemeanor citations and complaints, receive bail, fines, forfeitures, and court costs, execute deferred payment agreements within guidelines set by the court, and perform all duties assigned to the clerk under these rules. All persons appointed under this rule to accept bail bonds shall be deemed acting as gratuitous bailees. Unless such persons are covered by a public employee bond, they shall be required to execute official surety bonds in the sum of not less than $1,000 issued by a surety company authorized to do business in Idaho, or be executed by two (2) sufficient sureties approved by the administrative district judge, insuring that such person will faithfully perform the duties of the office and appointment and at all times account for and pay over all moneys in his hands as appointive clerk.

(b) Appointment of law enforcement officer. Duly appointed law enforcement officers may be appointed by the administrative district judge to receive fines within the limits of Rule 14 and cash deposits as bail in all cases provided for in Rule 13, provided they execute an official surety bond in the sum of $1,000, or such officers are covered by an existing blanket fidelity bond and such bond coverage includes any moneys received pursuant to this rule. The cash deposit shall be made at the office of the law enforcement agency or at the appropriate court, or at such other place, which may be the place of issuance of a citation, as directed by the administrative district judge in an appropriate case occasioned by extreme circumstances or remoteness. An adequate record shall be kept of the deposit paid, which shall be transmitted in kind or check to the clerk's office within 24 hours after receipt. The record shall consist of the amount of deposits paid, whether paid in cash or otherwise, the offense involved, person charged, the person paying the said deposit and the date, hour and minute paid. A triplicate receipt shall be made; one (1) copy shall be given to the person paying the deposit, one (1) copy shall be transmitted to the clerk's office, and one (1) copy shall remain in the issuing agency's office.

(Adopted December 27, 1979, effective July 1, 1980; amended April 18, 1983, effective July 1, 1983; amended January 24, 1989, effective January 24, 1989.)

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