

# In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO THE )  
IDAHO MISDEMEANOR CRIMINAL )  
RULES )

ORDER

The Court, having received a recommendation to amend the Idaho Misdemeanor Criminal Rules, and

WHEREAS, on April 22, 2020, in response to the novel coronavirus (COVID-19) emergency in the State of Idaho, this Court issued an Order “In re: Emergency Reduction in Court Services and Limitation of Access to Court Facilities;” and

WHEREAS, Idaho Criminal Rule 46(c), sets forth the factors to be considered when determining whether a person should be released on recognizance or admitted to bail; and

WHEREAS, in light of the COVID-19 emergency, reducing jail populations is an important goal when the accused offender does not pose an undue public safety risk to society or a risk of flight; and

WHEREAS, Idaho Misdemeanor Criminal Rule 13 provides a bond schedule for persons arrested on misdemeanor charges, and Idaho Misdemeanor Criminal Rule 14 provides for the disposition of citations by written plea of guilty; and

WHEREAS, the lowest risk offenses included in the bond schedule have been identified; and

WHEREAS, temporarily amending the bond schedule to set a “book and release” bond schedule for certain offenses, in lieu of money bond, and amending the rule regarding disposition of citations by written plea of guilty, will support the goal of reducing jail populations; and

WHEREAS, this Court previously approved a pilot program in Ada County temporarily amending Idaho Misdemeanor Criminal Rule 13; and

WHEREAS, this Court entered an Order, dated March 18, 2020, adopting a resolution amending Idaho Misdemeanor Criminal Rule 13, and the Court being fully informed as to the recommended rule changes,

NOW, THEREFORE, IT IS ORDERED that this Court’s Order, dated March 18, 2020, adopting a resolution amending Idaho Misdemeanor Criminal Rule 13 is rescinded and replaced by this Order.