

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO APPENDIX)
A OF THE IDAHO CRIMINAL)
RULES)

AMENDED ORDER

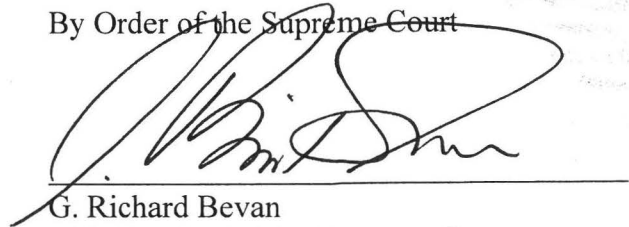
The Court, having received a recommendation to amend the No Contact Order forms found in APPENDIX A of the Idaho Criminal Rules, and being fully informed, entered an Order "In re: Amendments to Appendix A of the Idaho Criminal Rules" on May 2, 2022;

NOW, THEREFORE, in order to clarify the intent of the May 2, 2022, Order "In re: Amendments to Appendix A of the Idaho Criminal Rules," IT IS ORDERED that the May 2, 2022, Order "In re: Amendments to Appendix A of the Idaho Criminal Rules" is hereby rescinded and superseded by this Amended Order.

IT IS FURTHER ORDERED that the No Contact Order forms currently found in APPENDIX A of the Idaho Criminal Rules be rescinded and superseded by the attached No Contact Order forms, effective July 1, 2022; and ORDERED, that the Clerk of the Court shall cause notice of this Amended Order to be published in one issue of *The Advocate*.

DATED this 18th day of May, 2022.

By Order of the Supreme Court



G. Richard Bevan
Chief Justice, Idaho Supreme Court

ATTEST:



Melanie Gagnepain, Clerk

I, Melanie Gagnepain, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
Certify that the above is a true and correct copy of the
Amended Order entered in the above entitled
cause and now on record in my office. WITNESS my
hand and the Seal of this Court 5/18/2022
Melanie Gagnepain, Clerk

By Kimber Grove, Deputy

IN THE DISTRICT COURT OF THE <_DistrictName_> JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF <_CountyName_>

<_Style_>

Case No. _____

No Contact Order I.C. 18-920 - I.C.R 46.2

Original Amended

DR Number: _____

Law enforcement agency _____

Expires at 11:59 p.m. on _____ or
upon dismissal of this case, whichever occurs first

Defendant's Identifiers:

D.O.B. _____ Gender: _____ Race: _____

TO THE DEFENDANT: You have been charged with or convicted of the following crime(s):

<u>Count</u>	<u>Statute</u>	<u>Charge Description</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

This COURT, having personal and subject matter jurisdiction, finds that a no contact order is appropriate and HEREBY ORDERS THAT, with regard to the protected person(s) named below, YOU must not engage in any of the following conduct:

[01]

Do not contact or attempt to contact, either personally or through another person, the protected persons named below in any manner, including: 1) do not communicate in person or in writing or through any electronic means, including telephone, email, text, through social networking, or facsimile 2) do not harass, stalk, threaten, use, attempt to use or threaten use of physical force, engage in any other conduct that would place the protected person(s) in reasonable fear of bodily injury 3) do not knowingly remain within _____ feet of the protected person(s). However, you may attend court proceedings involving you and the protected person(s), and you may communicate through attorneys about legal issues involving you and the protected person(s).

Identifiers and Exceptions for Protected Person A:

Name (First, Middle, Last) (Date of Birth (optional))

Relationship to defendant, if any: _____

Do not go within and/or knowingly remain within _____ feet of the following address(es):

Protected person's home: _____

[04]

Protected person's workplace: _____

Protected person's school: _____

[05]

THERE ARE NO EXCEPTIONS TO THE ABOVE ORDER AS TO PROTECTED PERSON A.
 THERE ARE EXCEPTIONS TO THE ORDER ABOVE AS FOLLOWS:

to contact by telephone between _____ .M. and _____ .M.
for the following purposes: _____

- to participate in court ordered mediation
- to provide for the exchange of children between the protected person and defendant through: _____
- to retrieve personal necessities from the residence/protected address one time through: _____
- to respond to emergencies involving your natural or adopted children
- other: _____

Identifiers and Exceptions for Protected Person B:

Name (First, Middle, Last) (Date of Birth (optional))

Relationship to defendant, if any: _____

Do not go within and/or knowingly remain within ____ feet of the following address(es):

Protected person's home: _____

[04] Protected person's workplace: _____

Protected person's school: _____

- [05] **THERE ARE NO EXCEPTIONS TO THE ABOVE ORDER AS TO PROTECTED PERSON B.**
- THERE ARE EXCEPTIONS TO THE ORDER ABOVE AS FOLLOWS:**
- to contact by telephone between _____.M. and _____.M. for the following purposes: _____
 - to participate in court ordered mediation
 - to provide for the exchange of children between the protected person and defendant through: _____
 - to retrieve personal necessities from the residence/protected address one time through: _____
 - to respond to emergencies involving your natural or adopted children
 - other: _____

Identifiers and Exceptions for Protected Person C:

Name (First, Middle, Last) (Date of Birth (optional))

Relationship to defendant, if any: _____

Do not go within and/or knowingly remain within ____ feet of the following address(es):

Protected person's home: _____

[04] Protected person's workplace: _____

Protected person's school: _____

- [05] **THERE ARE NO EXCEPTIONS TO THE ABOVE ORDER AS TO PROTECTED PERSON C.**
- THERE ARE EXCEPTIONS TO THE ORDER ABOVE AS FOLLOWS:**

- to contact by telephone between _____ .M. and _____ .M. for the following purposes: _____
- to participate in court ordered mediation
- to provide for the exchange of children between the protected person and defendant through: _____
- to retrieve personal necessities from the residence/protected address one time through: _____
- to respond to emergencies involving your natural or adopted children
- other: _____

[03] [] IF THIS ORDER REQUIRES YOU TO LEAVE A RESIDENCE SHARED WITH THE PROTECTED PERSON(S), you may contact a law enforcement officer who may make arrangements to accompany you to the residence to remove items and tools necessary for employment and personal belongings. The officer may determine what constitutes necessary personal belongings.

Yes [] No [] Defendant appeared or had actual notice of this hearing and the opportunity to participate. If NO, then upon service, Defendant is notified of the right to request a hearing before a judge on this Order. The request must be filed within 7 days of service. To request a hearing you must contact the clerk of the court at (address) _____ (phone) _____. The court must hold a hearing within 14 days of the filing of the request and must provide notice of the hearing to the protected person and the parties.

A violation of this order is a separate crime under Idaho Code § 18-920, for which no bail will be set until you appear before a judge. The maximum penalty for a violation of this Order is one year in jail and/or up to a \$1000 fine. However, if the violation is a third offense, the violation is a felony, which is punishable by imprisonment in the state prison for up to five years and/or up to a \$5000 fine. *If any other Civil Protection Order or Criminal No Contact Order is in place you must abide by the terms in the most restrictive order.* Dismissal of any other order will not result in a dismissal of this Order. ONLY A JUDGE CAN MODIFY THIS NO CONTACT ORDER.

The court clerk must immediately send a copy of this Order to the Sheriff's Office in the county in which this Order was originally issued for entry into record systems.

IT IS SO ORDERED.

Dated: <_CurrDate_> _____ <_CaseJudOfficer_>
Judge

WARNINGS: As a result of this Order, it may be unlawful for you to purchase or possess a firearm, including a rifle, pistol, or revolver, or ammunition pursuant to federal law under 18 U.S.C. § 922(g)(8) . If you have any questions whether these laws make it illegal for you to possess or purchase a firearm, you should consult an attorney.

This Order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction (18 U.S.C. § 2265).

I, the Defendant named above, acknowledge receipt of this order.

Defendant Signature: _____ Date Signed: _____

Served by: _____ Law Enforcement Id. #: _____ Date served: _____ Time: _____

File Sheriff's Office Prosecutor Defense Attorney Protected person(s) Protected person(s) via prosecuting attorney

IN THE DISTRICT COURT OF THE <_DistrictName_> JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF <_CountyName_>

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DR Number: _____

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Defendant's Identifiers:

D.O.B. _____ Gender: _____ Race: _____

Protected Person(s) Identifiers:

Name (First, Middle, Last) (Date of Birth (optional))

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Relationship to protected person(s), if any: _____

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Protected person's home: _____

[04] Protected person's workplace: _____

Protected person's school: _____

However, you may attend court proceedings involving you and the protected person(s), and you may communicate through attorneys about legal issues involving you and the protected person(s).

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- Protected person(s) Protected person(s) via prosecuting attorney