



I.C.R. 33.1 Procedure Where Death Penalty is Authorized and Jury is Waived for Special Sentencing Proceeding

Idaho Criminal Rule 33.1. Sentencing Procedure When Death Penalty is Authorized and Jury is Waived

(a) Findings of the Court in Capital Offenses. In special sentencing proceedings in capital cases in which a jury has been waived, the court must make written findings as required by Idaho Code § 19-2515(8)(b). The court must serve copies of these written findings on the defendant or defendant's counsel and the prosecuting attorney.

(b) Form of Findings. The written findings of the trial court after the special sentencing proceeding must be made on a form approved by the Supreme Court.

([Adopted February 22, 2017, effective July 1, 2017](#) [1]; [amended August 1, 2025, effective August 1, 2025](#) [2].)

Source URL: <https://isc.idaho.gov/icr33-1>

Links

[1] <https://isc.idaho.gov/..rules/ICR/ICR-33a-Adoption-of-Newly-Formatted-ICR-022217.pdf>

[2] <https://isc.idaho.gov/rules/icr/Amendments%20to%20Rule%2033.1%20and%20Appendix%20A%20of%20Idaho%20Criminal%20Rules%20-%20eff%20Aug%201,%202025.pdf>