

I.C.R. 42g. Nonsummary Proceedings - Plea.

Idaho Criminal Rule 42(g). Nonsummary Proceedings - Plea.

After being informed of the applicable rights, the respondent shall admit or deny the charge of contempt.

(1) Admission of contempt. Before an admission of the charge can be accepted, the record of the entire proceedings, including reasonable inferences drawn therefrom, must show:

a. The respondent was informed of the nature of the charge(s) of contempt;

b. The respondent was informed of the maximum sanctions, including the possibility, if applicable, that sanctions for multiple contempts could be consecutive;

c. The voluntariness of the admission; and

d. The respondent was advised that by admitting the contempt, the respondent would be waiving the applicable rights specified in subsection (f) above.

(2) Denial of contempt. If the respondent denies the charge of contempt, the matter shall be set for a trial. The respondent must be given at least fourteen (14) days to prepare for trial, unless otherwise ordered by the court.

(Prior Rule 42 RESCINDED; New Rule 42 Adopted March 24, 2005, effective July, 2005.)

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