

**IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO**

COPY

RE: IN THE MATTER OF BAIL BOND )	
GUIDELINES OF THE FIRST JUDICIAL )	ADMINISTRATIVE ORDER
DISTRICT OF THE STATE OF IDAHO )	E11-DW.1
)	
)	
_____)	

On March 18, 2011 the Idaho Supreme Court issued its Opinion in the case of *Two Jinn, Inc., v. District Court of the Fourth Judicial District*, 2011 Opinion Number 38.

In that ruling, the Idaho Supreme Court held that no judicial district in this state could impose substantive requirements upon bail agents but only procedural requirements.

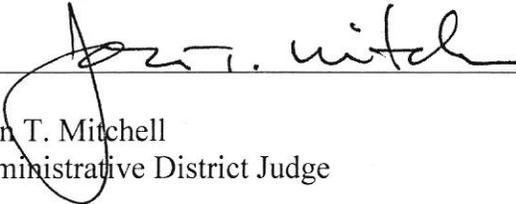
Since the First Judicial District Court can no longer deal with bail agents or sureties substantively, it makes no sense for the trial court administrator's office to continue to maintain lists of agents and sureties and therefore, it will not do so;

Further, since the trial court administrator's office of the First Judicial District will no longer keep lists of bail agents and sureties, it is too much of an administrative burden for the trial court administrator's office to track every surety's requirement of a "designated agent" for purposes of receiving notice under Idaho Code §19-2915 and Idaho Criminal Rule 46.

Therefore, as Administrative District Judge, I have decided to eliminate that administrative burden and we will comply with IC §19-2915(2) or Criminal Rule 46(H)(3) by only providing notice to the surety, not the designated agent.

It is further ordered that the trial court administrator's office of the First Judicial District shall no longer provide a list of bail agents or sureties authorized to post bail bonds in the First Judicial District to the sheriff's offices and the clerk's offices of each county within the First Judicial District. The Sheriff's offices shall rely on information from the Idaho Department of Insurance to determine agents or sureties authorized to post bonds within the state of Idaho.

Dated this 13<sup>th</sup> day of May, 2011.

  
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John T. Mitchell  
Administrative District Judge

cc: Karlene Behringer, TCA  
District Judges, First Judicial District  
Magistrate Judges, First Judicial District  
Clerks of Court, First Judicial District  
Sheriffs of Benewah, Bonner, Boundary, Kootenai and Shoshone Counties