

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

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ADMINISTRATIVE ORDER  
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RE: BAC REFUSALS

WHEREAS BAC Refusal proceedings have been deemed to be civil in nature, and,

WHEREAS great confusion has arisen by the filing of those proceedings in the underlying DUI misdemeanor case,

IT IS HEREBY ORDERED that the procedure to be utilized by the Clerks of the District Court in the First Judicial District in filing BAC Refusal paperwork shall be as follows:

That when an Affidavit of Refusal and drivers license are presented to the court where the defendant has also been charged with driving under the influence, the BAC Refusal paperwork shall be filed in a separate, civil case file and given a civil case number separate and apart from the underlying DUI misdemeanor.

DATED this 1st day of November, 1988.

  
GARY M. HAMAN,  
ADMINISTRATIVE JUDGE

Procedure for Filing of  
BAC Refusal Paperwork --