

DISTRICT COURT
FIRST JUDICIAL DISTRICT
STATE OF IDAHO



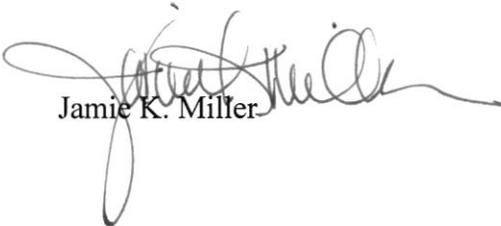
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MAY 10 2007
JUDGE WATSON

May 8, 2007

Dear Judge Watson:

Previously, you had asked me if I found an Administrative Order that required the PA's to be present for the in-custody hearings. I did not find an A.O. for the in-custodies but I did find one for the non-custodial arraignments (attached). I can not find any evidence that such an order existed but if you have additional information that could aide me, such as who was the ADJ at the time, I'd be happy to look further into this matter. Thanks so much for your time.

Sincerely,


Jamie K. Miller

IN THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO

ADMINISTRATIVE ORDER: H2001-K.1

Effective Date: February 1, 2001

**ORDER REQUIRING PROSECUTORS TO APPEAR
AT NON-CUSTODIAL ARRAIGNMENTS**

WHEREAS the volume of misdemeanor cases in Kootenai County has increased dramatically in the past several years; and

WHEREAS there are a number of misdemeanor criminal cases which could be resolved at the initial non-custodial appearance if counsel for the State were present;

WHEREAS there appears to be no uniform procedure presently in place requiring the presence of prosecuting attorneys at misdemeanor first appearances; and

WHEREAS the earliest possible disposition of these cases will accomplish an efficient use of judicial resources, including clerk's and judge's time, as well as improving the impact on parties, witnesses, attorneys and others associated with the cases; and

WHEREAS an earlier disposition of the cases will benefit victims of crime who are entitled to a timely resolution of issues involving restitution; and

WHEREAS the Courts have the authority to set pretrial conferences and other hearings to secure the prompt and fair administration of justice under Rules 2 and 18 of the Idaho Criminal Rules, now therefore,

IT IS HEREBY ORDERED that effective February 1, 2001:

1. A prosecuting attorney with full authority to negotiate and settle each case shall attend a pretrial conference at the time of the Defendant's initial appearance in all non-custodial misdemeanor arraignments in Kootenai County.
2. The Clerk of the District Court shall, to the extent reasonably possible schedule misdemeanor non-custodial first appearances in a manner such, that cases in a single setting are cases being prosecuted by a single prosecuting agency.
3. This order shall be promulgated to all Judges, prosecutors, public defenders and other affected parties to assure full and timely compliance.

ENTERED this 2nd day of **January, 2001.**


Administrative Judge