

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

**ADMINISTRATIVE ORDER H 2002-DW.1**

**(Effective date: July 1, 2002)**

**RE: NO CONTACT ORDERS**

**ADMINISTRATIVE ORDER  
RE: NO CONTACT ORDERS**

**WHEREAS**, Idaho Code §18-920 provides that when a person is charged with an offense under §18-901, 18-903, 18-905, 18-907, 18-911, 18-913, 18-915, 18-918, 18-919, 18-6710, 18-6711, 18-7905, or 39-6312, or any other offense for which a court finds that a no contact order is appropriate, an order forbidding contact with another person may be issued; and

**WHEREAS** Idaho Code §18-920 provides that such no contact order may be imposed by the court or by an Idaho criminal rule; and

**WHEREAS**, I.M.C.R. 13 and I.C.R. 46.2 provides for a no contact order as a condition of release when persons are charged with either Stalking (I.C. §18-7905), Domestic Assault or Battery (I.C. § 18-918), or Violation of a Protection Order (I.C. §39-6312), and provide that such no contact orders shall be in writing and served on or signed by the defendant; and

**WHEREAS**, said rules provide that each judicial district shall adopt by administrative order a form for no contact orders for the district; and

**WHEREAS**, the terms of any no contact order should be spelled out to ensure that proper notice has been given to the defendant;

**IT IS HEREBY ORDERED** as follows:

That the attached no contact order shall issue automatically as a condition of bail or release on the defendant's own recognizance in the following instances:

- (a) Whenever the defendant is charged with one of the following offenses:

Domestic Assault or Battery (Idaho Code §18-918)

Stalking (Idaho Code §18-7905)

Violation of a Protection Order (Idaho Code §39-6312)

or

- (b) Whenever a judge issues an arrest warrant and endorses on the warrant a "no contact order" or similar language indicating that the defendant is not to have any contact with a specifically identified person (e.g., "victim") or with a named person.
1. That the attached no contact order shall remain in effect until further order of the court or until the charge in connection with which the order was issued is resolved by entry of judgment (either of conviction or a withheld judgment) or dismissal, whichever occurs first.
  2. That the terms of the attached no contact order may be modified as the court in any case deems appropriate.

Dated: *June 4, 2002*

Signed:

  
\_\_\_\_\_  
Charles F. Hosack  
Administrative District Judge

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF \_\_\_\_\_

STATE OF IDAHO  
Plaintiff

Citation / Case No. \_\_\_\_\_

vs. \_\_\_\_\_  
Defendant

Arresting Agency \_\_\_\_\_

S.S.N. \_\_\_\_\_

D.O.B. \_\_\_\_\_

**NO CONTACT ORDER**

Defendant, having been charged with violating Idaho Code Section(s):

- 18-918 Domestic Assault or Domestic Battery     39-6312 Violation of a Protection Order  
 18-7905 Stalking     18-901 Assault     18-903 Battery     18-905 Aggravated Assault  
 18-907 Aggravated Battery    Other: \_\_\_\_\_

ALLEGED VICTIM'S NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

Victim's address withheld at request of victim.

**YOU THE DEFENDANT ARE HEREBY ORDERED TO HAVE NO CONTACT DIRECTLY OR INDIRECTLY WITH THE ALLEGED VICTIM (S).** You shall not harass, follow, contact, attempt to contact, communicate with in any form, or knowingly remain within 300 feet of the alleged victim.

**VIOLATION OF THIS ORDER IS A SEPARATE CRIME UNDER Idaho Code Section 18-920 for which no bail will be set until you appear before a judge and is subject to a penalty of up to one year in jail and up to a \$1,000 fine.**

**THIS ORDER CAN ONLY BE MODIFIED BY A JUDGE AND WILL REMAIN IN EFFECT UNTIL FURTHER ORDER OF THE COURT.**

If a **PROTECTION ORDER ENTERS PURSUANT TO IDAHO'S DOMESTIC VIOLENCE CRIME PREVENTION ACT** (Title 39, Chapter 63 of the Idaho Code), it will supersede conflicting provisions of this No Contact Order; however, entry or dismissal of a civil protection order shall not result in dismissal of this order.

The Clerk of the Court shall give written notification to the records department of the sheriff's office in the county in which this order is issued by the next judicial day and THE INFORMATION ON THIS ORDER SHALL BE ENTERED INTO THE IDAHO LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM.

This order is enforceable in all 50 states, the District of Columbia, Tribal Lands and U.S. Territories. 18 U.S. Code Section 265.

IT IS SO ORDERED THIS \_\_\_\_\_ DAY Of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
JUDGE

I HEREBY ACKNOWLEDGE that I have read and received this order on \_\_\_\_\_,

DEFENDANT \_\_\_\_\_

Copy to \_\_\_\_\_ Deputy clerk \_\_\_\_\_ Date \_\_\_\_\_