

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTIES OF
ADAMS, CANYON, GEM, OWYHEE, PAYETTE AND WASHINGTON

In the Matter of :
Bail Bonds

Administrative Order
No. 2002-3

WHEREAS, arrest warrants have been issued which specify that bail may be posted in cash only: and,

WHEREAS, such "cash only" requirement violates Article I, § 6 of the Constitution of the State of Idaho; and,

WHEREAS, arrest warrants have been issued which specify bail in one sum for surety and a lesser sum for cash: and,

WHEREAS, the constitution of the State of Idaho, relevant statutory provisions and I.C.R. 46(d) reflect that the amount of bail and the amount of cash deposit in lieu of bail shall be in the same amount; and,

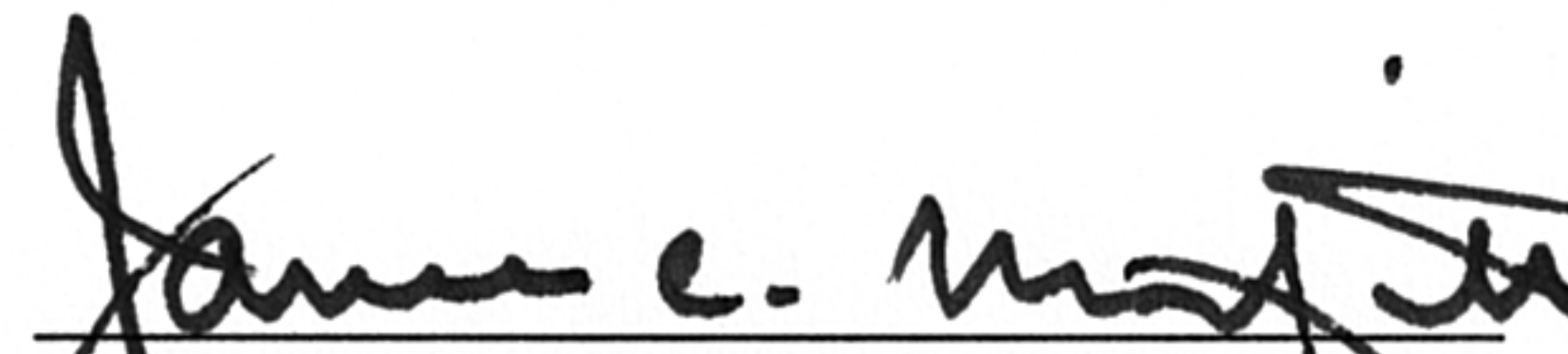
Good Cause Appearing,

IT IS HEREBY ORDERED as follows:

1. Cash only bail abolished. In any case in which bail is specified as being cash only, the "cash only" restriction shall be disregarded, and bail may be posted in any manner allowed by statute or court rule, including giving a bail bond issued by a corporate surety authorized to do business in the State of Idaho.
2. Differing amounts for surety and cash bail abolished. In any case in which bail is specified as being one sum for surety or a bail bond and a lesser sum for cash bail, the requirement of bail in a greater amount if it is by surety or a bail bond shall be disregarded and the amount of bail shall be the sum fixed for cash bail, and bail in such amount may be posted in any manner allowed by statute or court rule, including giving a bail bond issued by a corporate surety authorized to do business in the State of Idaho.
3. Application of this order. This order shall apply to any arrest warrant or order setting bail previously or hereafter issued by a district or magistrate judge in the Third Judicial District of the State of Idaho.

4. Effective date. This order shall be effective immediately and shall remain in force unless rescinded.

Dated this 24th day of April, 2002.


James C. Morfitt
Administrative District Judge
Third Judicial District