

**FILED**  
 8:07 A.M. P.M.  
 MAR 30 1987  
 BILL A. STAKER, CLERK  
 DEPUTY CLERK

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 & WASHINGTON

IN THE MATTER OF:	)	
	)	AMENDED ADMINISTRATIVE ORDER
THE ARREST OF PROBATIONERS	)	
AND PAROLEES.	)	87-2 (amending 85-7)

TO: TRIAL COURT ADMINISTRATOR  
 ALL THIRD JUDICIAL DISTRICT MAGISTRATES  
 ALL SHERIFF'S OFFICES IN THE THIRD JUDICIAL DISTRICT  
 DEPARTMENT OF PROBATION AND PAROLE

William Morrow, Chief Deputy for the Canyon County  
 Prosecuting Attorney's office, and Rich Hammond of the  
 Department of Probation and Parole having asked the undersigned  
 as Administrative Judge for some clarification concerning the  
 procedure to be utilized in the arrest of probationers and  
 parolees pursuant to Court Orders and on the agent's warrants,  
 and it appearing to the Court that it would be in the best  
 interest of all departments to standardize the appropriate  
 procedure, and that it would be in the best interests of  
 efficient judicial administration to effect a policy for the  
 handling of the same, and good cause appearing therefor,

IT IS HEREBY ORDERED that all Judges of the Third Judicial District follow the following procedure on the arrest of probationers and parolees:

1) If the defendant is a parolee and picked up on an Agent's Warrant, it is not necessary for said defendant to be taken before a Magistrate or Judge, but he can be held on the Agent's Warrant.

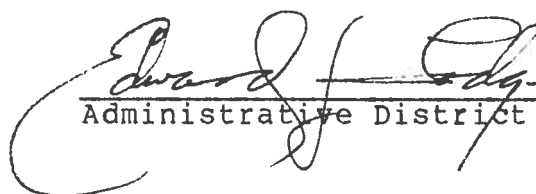
2) If the defendant has been arrested on an Agent's Warrant for a probation violation on a conviction from out of State, it is likewise not necessary that said defendant be brought before a Magistrate or Judge within this District, and the Sheriff's office can hold said defendant on the Agent's Warrant.

3) If the defendant is arrested for an alleged probation violation on a conviction within this District, the defendant should be taken before a Magistrate to be arraigned, and a bond may or may not be set in the Judge's discretion.

4) If the defendant is arrested on an Agent's Warrant pursuant to a District Court Order for an alleged probation violation on a prior conviction within this State, but outside the Third Judicial District, the defendant should be taken before a Magistrate and be arraigned, but the bond or absence of the same should be left as set forth in the District Court's Order.

5) If the defendant is arrested strictly on an Agent's Warrant for an alleged probation violation on a prior conviction within this State, but outside the Third Judicial, the defendant should be taken before a Magistrate and arraigned, and a bond may or may not be set in the Judge's discretion.

Dated this 27<sup>th</sup> day of March, 1987.

  
Administrative District Judge