I.C.R. 42k. Nonsummary Proceedings - Findings of Fact.

Idaho Criminal Rule 42(k). Nonsummary Proceedings - Findings of Fact.

If the contempt allegation is tried to the court without a jury, the court shall make specific findings of fact. In order to impose either a civil sanction or a conditional (civil) provision as part of a criminal sanction, the findings must include the facts upon which the court bases its determination that the contemnor has the present ability to comply with the order violated, or with that portion of it required by the sanction.

(Prior Rule 42 RESCINDED; New Rule 42 Adopted March 24, 2005, effective July, 2005.)

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