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I.I.R. 9. Judgment - Fixed Penalty Plus Court Costs for Infractions - Withheld Judgment and Suspended Penalties Prohibited - Deferred Payment Agreements.

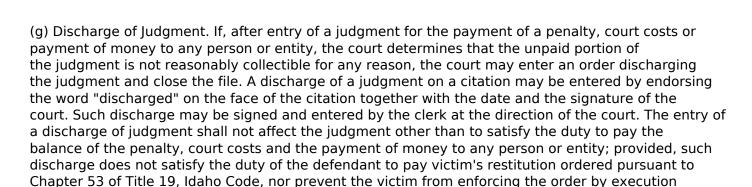
Idaho Infraction Rule 9. Judgment - Fixed Penalty Plus Court Costs for Infractions - Withheld Judgment and Suspended Penalties Prohibited - Deferred Payment Agreements.

- (a) Entry of Judgment. Upon, (1) the entry of an admission to an infraction citation or complaint in person or by mail under Rule 6(a) or, (2) the payment of the total amount, which includes fixed penalty and court costs, by the defendant, or, (3) a finding by the court upon trial that the defendant committed the infraction offense, or, (4) a failure of the defendant to appear in court or before the clerk as provided in Rule 8, the court shall enter judgment against the defendant for the infraction which shall order the defendant to pay the fixed penalty and court costs provided in this rule.
- (b) Fixed Penalty and Costs for Infraction. The entry of a judgment for an infraction under this rule shall order the defendant to pay a dollar amount for a fixed penalty and court costs in the following amounts:

Click here [1] for Infraction Penalty Schedule

- (c) Consolidation of Multiple Offenses in Assessing Court Costs. The court may consolidate multiple non-moving or parking infractions into one offense for the purpose of assessing court costs under I.C §31-3201A(c), together with the fixed penalty portion of the penalty for each infraction.
- (d) Withheld Judgments or Suspended Penalties Prohibited. No court shall have the power to withhold judgment nor to suspend any part of a judgment for a fixed penalty and costs prescribed under this rule.
- (e) Deferred Payment Agreement. After the entry of a judgment for an infraction, the court, or the clerk within the guidelines set by the court, may enter into an agreement with the defendant for the deferred payment of the fixed penalty plus court costs. Such agreement shall be signed by the defendant and the court, or the clerk on behalf of the court. Subsequent extensions of time to pay a fixed penalty plus court costs may be granted by the execution of a new agreement by the defendant and the court or the clerk.
- (f) Form of Agreement. A deferred payment agreement under this rule shall be substantially the following form:

Click here [2] for form.



[Amended effective July 1, 1995; July 1, 1996; July 1, 1997; January 1, 1999; amended June 7, 2000, effective July 1, 2000; amended June 21, 2000, effective July 1, 2000; amended January 30, 2001, effective July 1, 2001; amended March 5, 2002, effective July 1, 2002; amended April 19, 2002, effective July 1, 2002; amended June 16, 2003, effective July 1, 2003; amended July 29, 2003, effective immediately; amended April 22, 2004, effective July 1, 2004; amended April 5, 2005, effective July 1, 2005; amended March 21, 2007, effective July 1, 2007; amended, effective February 1, 2009; amended April 2, 2010, effective April 15, 2010; amended April 27, 2011, effective July 1, 2011; amended April 27, 2012; effective July 1, 2012; amended May 7, 2015, effective July 1, 2015; amended July 13, 2016, effective July 1, 2016; amended April 25, 2018, effective July 1, 2018; amended June 28, 2021, effective July 1,2021; amended, effective November 27, 2023.)

Source URL: https://isc.idaho.gov/iir9

pursuant to section 19-5305, Idaho Code.

Links

[1] https://isc.idaho.gov/rules/IIR9(b)-Infraction-Penalty-Schedule-070123.pdf [2] https://isc.idaho.gov/../rules/forms/IIR_09_Form_07.18.doc

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