

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO IDAHO)
CRIMINAL RULES, Appendix A)
_____)

AMENDED ORDER

The Court, having reviewed a recommendation to amend the Guilty Plea Advisory form, found in Appendix A of the Idaho Criminal Rules, and being fully informed:

IT IS ORDERED that the Guilty Plea Advisory form, found in APPENDIX A of the Idaho Criminal Rules, is amended as follows:

Rule 11. Pleas

Rule 11(e) Guilty Plea Advisory

18. There are two types of plea agreements. Please initial the one paragraph below which describes the type of plea agreement:

- a. I understand that my plea agreement is a non-binding plea agreement. This means that the Court is not bound by the agreement or any sentencing recommendations, and may impose any sentence authorized by law, up to the maximum sentence. The Court is not bound by the agreement; if the District Court chooses not to follow the agreement, I will not have the right to withdraw my guilty plea. I understand I do not have the right to withdraw my guilty plea if the Court chooses not to follow the agreement. _____

- b. I understand that my plea agreement is a binding plea agreement. This means that if the judge accepts this agreement, I will not be allowed to withdraw my plea of guilty and proceed to a jury trial. _____

IT IS FURTHER ORDERED that this order and amendment shall be effective upon the signing of this order.

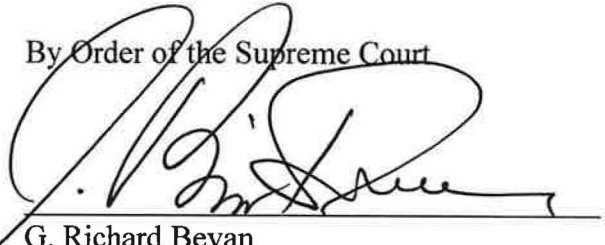
IT IS FURTHER ORDERED that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a

part of the permanent Idaho Criminal Rules.

IT IS FURTHER ORDERED, that notice of this Order shall be published for three consecutive weeks on the Idaho State Bar's website and in its weekly E-Bulletin, and that as soon as practicable, a summary of the amendment(s) effected by this Order shall be published in one issue of *The Advocate*.

DATED this 20th day of September, 2024.

By Order of the Supreme Court



G. Richard Bevan
Chief Justice, Idaho Supreme Court

ATTEST:



Melanie Gagnepain, Clerk

I, Melanie Gagnepain, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
Certify that the above is a true and correct copy of the
Amended Crim. Rules entered in the above entitled
cause and now on record in my office. WITNESS my
hand and the Seal of this Court September 20, 2024

Melanie Gagnepain, Clerk

By Corby Cole Deputy