

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO**

RE: REQUEST FOR JUDICIAL)	ADMINISTRATIVE ORDER
RECORDS)	04-12
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WHEREAS, requests for judicial records is governed by Idaho Court
Administrative Rules, specifically (g) and (j) of Rule 32; and

WHEREAS, Rule 32 (j) provides: “the custodian is not under a duty to compile or
summarize information contained in records, nor is the custodian obligated to create new
records for the requesting party”; and

WHEREAS, Rule 32 (g) provides the request must clearly identify each record
requested so that the custodian can locate the record without doing extensive research;
and

WHEREAS, the Idaho Clerk of the District Court Manual, Section 6.22 entitled
Responding to a Request for Access to Court Records, provides for the clerical duties of
Deputy Clerks to include taking the request, bringing the requested file to the location
designated for inspection, allowing a person to inspect the file, making copies as
requested, collecting statutory fees and returning the file to its proper place.

NOW THEREFORE IT IS HEREBY ORDERED:


1. All requests not made in person at the Clerk's Office as outlined above in Rule 32 (j), shall be in writing. In addition, the Clerk's Office may require an in person request to be rendered to writing.
2. These requests shall include the case number and name of party(s) involved allowing the deputy to locate the specific file without doing extensive research.
3. Continuing requests for documents not yet in existence will not be considered or honored; and,
4. You are entitled to inspect, examine or have copied judicial records filed with the Clerk's Office during normal business hours, Monday through Friday. (Exclusive of holidays.)

IT IS FURTHER ORDERED: the custodian shall respond to your request within three (3) working days from the receipt of the request. The record custodian's required response shall either be in the form of disclosing the records requested, referring the request to the custodian judge for determination, giving written notice of the denial of the request, or notifying the person making the request that it will take more than (3) days to determine whether the request should be granted. The response must then be made within ten (10) working days following the request. This foregoing written response is the custodian's DENIAL of your request until the required specific written request outlined above is received from you.

IT IS FURTHER ORDERED: neither Clerks of the Court nor their deputies shall perform record searches. It is the responsibility of the requestor to do the search and then ask the clerk's office to locate the specific file or record in the file. Fees for all copies are charged in accordance with Idaho Code § 31-3201.

IT IS SO ORDERED.

DATED this April day of 20, 2004


BARRY WOOD
Administrative District Judge

C: Fifth Judicial District Clerks of the District Court