

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

	)	2009 - 05
RE: Records Exempt from Disclosure in	)	AMENDED
Child Protective Act Proceedings.	)	ADMINISTRATIVE ORDER
	)	

**WHEREAS**, Idaho Court Administrative Rule 32 provides for the disclosure of judicial records and establishes which records are exempt from disclosure, and

**WHEREAS**, Idaho Court Administrative Rule 32(g)(9)(A) provides that all court records of Child Protective Act proceedings are confidential and exempt from disclosure, except upon certain circumstances, and

**WHEREAS**, Idaho Juvenile Rule 53 provides that a court shall not disclose any of the contents of a case file of any action brought under the Child Protective Act, except as authorized under I.C.A.R. Rule 32; and

**WHEREAS**, Idaho Code §16-1626 provides that court records from a child protective act proceeding shall be available only to parties to the proceedings, persons having full or partial custody of the subject child and authorized agencies providing protective supervision or having legal custody of the child; and further that any other person may have access to the records only upon permission by the court; and

**WHEREAS**, Idaho Court Administrative Rule 32(c)(2) indicates that there are some exceptions to Rule 32 allowing parties to an action and their attorney to examine the court file of the action, unless restricted by order of the court, therefore;

**IT IS HEREBY ORDERED** that the termination of parental rights in any child protective act proceeding is a sufficient order to restrict the terminated parents' right as a party to the pending CPA proceeding to examine or copy any court records of the proceeding from the date of termination forward.

**IT IS FURTHER ORDERED** that pursuant to the above cited rules, disclosure or examination of court files and/or records of any pending or closed child protective act proceedings *by any other person or agency not identified in Idaho Code §16-1626*, shall be at the discretion of the presiding judge. This order is not intended to prohibit access to

child protective act proceedings by Judges, clerks, trial court administrators, or other staff employed by or working under the supervision of the courts who are acting within the scope of their duties.

IT IS SO ORDERED.

DATED this 11 day of <sup>August</sup>~~July~~ 2009.



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BARRY WOOD  
Administrative District Judge