I.R.C.P. 84.f. Payment of Fee - Preparation of Record.

Idaho Rules of Civil Procedure Rule 84(f). Payment of Fee - Preparation of Record.

(1) Record to be prepared. When statute provides what shall be contained in the official record of the agency upon judicial review, the agency shall prepare the record as provided by statute. Otherwise, the documents listed in paragraph (3) of this rule shall constitute the agency record for judicial review. In either case, the parties may stipulate or the district court may order that a partial record may be prepared for judicial review.

(2) Use of original or copies. The agency may prepare the originals contained in its official file or a certified copy of its official file, retaining the originals for its records. Upon determination of the petition for judicial review by the district court, and the expiration of the time for appeal to the Supreme Court, any original agency's record shall be returned to the agency together with the order and other disposition rendered by the district court on judicial review.

(3) Record to be compiled when statute does not prescribe the record. The agency's record shall contain the following when the record is not otherwise prescribed by statute:

(A) All original or amended complaints, petitions, applications, claims or other initial pleadings.

(B) All answers or responses to initial pleadings.

(C) All documents relating to an application or petition to intervene.

(D) All protests or other oppositions filed by a party or persons not parties.

(E) Certificate listing all exhibits identified at hearing.

(F) The findings of fact and conclusions of law, or, if none, any memorandum decision entered by the agency.

(G) The final decision, order or award.

(H) All petitions for rehearing or reconsideration and orders thereon.

(I) All petitions for review and cross-petitions for review.

(J) All requests for additional reporterís transcript or agency's record.

(K) Table of contents and index.

(4) Fees for preparation of agency's record. If the agency has a statute, rule, ordinance, or other provision setting forth a fee for preparation of the agencyís record on petition for judicial review, the

agency shall charge the fee for preparation of the agencyís record. Otherwise, the agency shall charge the fee for copying of public records. Concurrently with filing the petition for judicial review, the petitioner shall pay the agency an estimated fee for preparation of the agency record. The district court may order a copy of the record prepared at agency expense if governing statutes so provide or may order the transcript paid from district court funds upon a finding of indigency.

(5) Lodging of record. The clerk of the agency shall prepare the record in accordance with this rule and lodge it with the agency within 14 days of the filing of the petition for judicial review for the purpose of settlement of the record in accordance with rule 84(j). The agency may apply to the district court for an extension of time in which to prepare the record which shall be granted only for good cause shown.

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