

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO THE)
IDAHO COURT ADMINISTRATIVE)
RULES)

ORDER

The Court, having received a recommendation to amend the Idaho Court Administrative Rules, and being fully informed as to the recommendation,

NOW, THEREFORE, IT IS ORDERED that the Idaho Court Administrative Rules be amended as follows:

Idaho Court Administrative Rule 37. Minimum Standards for Preservation, Destruction, or Disposition of Trial Court Records. --Civil Actions.

- (a) General Standards for Retention. This rule requires courts to preserve certain records indefinitely and authorizes the destruction of others. Whenever in this rule it is required that a record be preserved, it may be preserved either in the form of the original document, microfilm, or other archival media, including digital entry in the court's automated case management system. Courts using any type of microfilming process must follow the Idaho Standards for Microfilming Court Records in order to ensure that the film is of archival quality. All equipment purchased and services contracted must meet these standards.
- (b) Preservation and Destruction of Court Records. Courts shall not destroy any record filed conventionally pursuant to Idaho Rules for Electronic Filing and Service 5(a), 5(c), 5(f), or 5(k). The following schedule sets out the minimum time period that must pass before records can be destroyed and the specific records that must be preserved when destroying a file. It is within each court's discretion to exceed the minimum time period before destruction or to preserve additional records:

Idaho Court Administrative Rule 38. Minimum Standards for Preservation, Destruction, or Disposition of Trial Court Records. --Criminal Actions and Infractions.

- (a) General Standards for Retention. This rule requires courts to preserve certain records indefinitely and authorizes the destruction of others. Whenever in this rule it is required that a record be preserved, it may be preserved either in the form of the original document, microfilm, or other archival media, including digital entry in the court's automated case management system. Courts using any type of microfilming process

must follow the Idaho Standards for Microfilming Court Records in order to ensure that the film is of archival quality. All equipment purchased and services contracted must meet these standards.

(d) Preservation and Destruction of Court Records. Courts shall not destroy any record filed conventionally pursuant to Idaho Rules for Electronic Filing and Service 5(a), 5(c), 5(f), or 5(k). The following schedule sets out the minimum time period that must pass before records can be destroyed and the specific records that must be preserved when destroying a file. It is within each court's discretion to exceed the minimum time period before destruction or to preserve additional records:

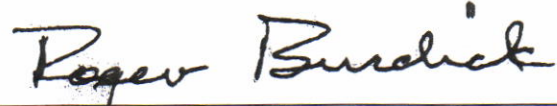
IT IS FURTHER ORDERED, that this order and these amendments shall be effective July 1, 2020.

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 Court Administrative Rules.

IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 4th day of May, 2020.

By Order of the Supreme Court



Roger S. Burdick, Chief Justice

ATTEST:

Karel A. Lehrman
Clerk

I, Karel A. Lehrman, 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 Order In Re: Amendments entered in the above entitled cause and now on record in my office. 5-4-2020
WITNESS my hand and the Seal of this Court.

KAREL A. LEHRMAN Clerk

By: [Signature] Chief Deputy