

## SUMMARY STATEMENT

*Chambers v. Idaho Board of Pharmacy*

Docket No. 49356

The Idaho Supreme Court affirmed the district court's decision to dismiss a petition for judicial review from the Idaho Board of Pharmacy. After petitioner Cindy A. Chambers, a pharmacist, prevailed in an administrative complaint before the Board, she was awarded attorney fees and costs. However, she failed to comply with the 14-day deadline to request her award. Chambers filed a request for attorney fees almost seven months after the deadline had passed and the Board denied the request on finding that Chambers failed to show "good cause" for the late filing, as required by the Idaho Rules of Administrative Procedure of the Attorney General. While counsel for Chambers cited her medical condition as good cause for the late filing, the Board ultimately determined that the counsel's medical condition was not applicable to the time period at question. Chambers then sought judicial review from the district court, which dismissed her petition.

Chambers appealed to the Idaho Supreme Court. She argued that both the Board and the district court erred in failing to apply a "prejudice" legal standard. The Idaho Supreme Court disagreed. It determined that the Board correctly applied the good-cause standard under the IDAPA Rules and was well within its discretion to deny the late request filed by Chambers. Moreover, the Board's decision was supported by substantial and competent evidence because counsel for Chambers admitted in declarations and at hearings that she had failed to calendar the deadline, making the seven-month delay one of personal error.

***\*\*\*This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.\*\*\****