

# In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO IDAHO )  
COURT ADMINISTRATIVE RULE 32 )  
\_\_\_\_\_ )

ORDER

The Court, having reviewed a recommendation to amend Idaho Court Administrative Rule 32, and the Court being fully informed;

NOW, THEREFORE, IT IS ORDERED that Idaho Court Administrative Rule 32(c) be amended as follows:

## Idaho Court Administrative Rule 32(c)

(c) Applications. This Rule shall apply to all court records existing on or after the date of adoption of this Rule. Provided, this Rule shall not prevent examination, inspection and copying to records, otherwise exempt from disclosure by the following persons in the following situations:

- (1) If approved by the custodian judge, or the custodian in the case of any record in the judicial council, federal, state and local officials or their agent accessing a judicial record in the exercise of their official duties and powers; however, requests for numerous records or records from more than one county must be approved by the Chief Justice.
- (2) Parties to an action and their attorney accessing the court file of the action, unless restricted by order of the court, except as limited in paragraphs (g)(12), (15) and (17)(F). In addition, parties may authorize release of their own court records directly to a third party.
- (3) Disclosure by the custodian of statistical information that is not descriptive of identifiable persons.
- (4) Employees shall have access to their own personnel files.
- (5) Judges, clerks, trial court administrators, or other staff employed by or working under the supervision of the courts who need to access specific court records for the performance of their job duties.
- (6) Guardians ad litem and court visitors in guardianship and conservatorship cases shall have access to the case information sheet in those cases, unless restricted by order of the court.

IT IS FURTHER ORDERED that Idaho Court Administrative Rule 32(i) be replaced with the following new Idaho Court Administrative Rule 32(i) – preserving core concepts of the rule while modifying and adding to its language:

## Idaho Court Administrative Rule 32(i)

- (i) ~~Other Prohibitions or Limitations on Disclosure and Motions Regarding the Sealing of Records. Physical and electronic records, may be disclosed, or temporarily or permanently sealed or redacted by order of the court on a case-by-case basis.~~
- (1) ~~Any person or the court on its own motion may move to disclose, redact, seal or unseal a part or all of the records in any judicial proceeding. The court shall hold a hearing on the motion after the moving party gives notice of the hearing to all parties to the judicial proceeding and any other interested party designated by the court. The court~~