I.C.A.R. 37. Minimum Standards for Preservation, Destruction, or Disposition of Trial Court Records. --Civil Actions.

Idaho Court Administrative Rules 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). 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:

Case Type/	Minimum Time to	When Destroying,		
Type of Record	Keep Entire Record	Minimum Record to Pres		
All civil & special cases (including domestic relations not involving children) unless listed specifically below	1 year from expiration of the time for appeal or determination of an appeal, or the determination of a proceeding following appeal, whichever is later, unless otherwise specifically provided	 ROA All court minutes Proof of Service Findings of Fact & Concof Law Final Order, Judgment of Decree Property Settlement Renewal/Satisfaction of Judgment Notice of Intent to Destrict 		
Probate	1 year from expiration of the time for appeal or determination of an appeal, or the determination of a proceeding following an appeal, whichever is later,	ROAAll court minutesProof of ServiceWill (never destroy original)		

unless otherwise specifically provided

EXCEPT ORIGINAL WILLS SHALL NEVER

BE DESTROYED

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Letters Testamentary

• Letter Intestate



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		 Inventory/Appraisal Finding of Fact & Conclutant Final Order, Judgment of Decree Final Accounting Notice of Intent to Destrict Exhibits
Guardianship/Conservatorship	1 year after guardianship or conservatorship has been terminated	 ROA All court minutes Proof of Service Finding of Fact & Concludaw Final Order, Judgment of Decree Final Accounting Notice of Intent to Destrict
Child Protective Act (See Rule 38 for Youth Rehabilitation Act/Juvenile Corrections Act)	year from expiration of the time for an appeal or determination of an appeal, or the determination of a proceeding following an appeal, whichever is later, unless otherwise specifically provided	 ROA All court minutes Proof of Service Finding of Fact & Concludaw Final Order, Judgment of Decree Any Reports Submitted Notice of Intent to Destrict Exhibits
Domestic Relations -involving children-	Until the time the youngest child reaches the age of majority	 ROA All court minutes Proof of Service Finding of Fact & Conclutance Law Child Support Orders Decrees/Modified Decree Notice of Intent to Destrict Exhibits Support Payment Recorement Agreements
Adoptions/Termination of Parental Rights	ALWAYS KEEP ENTIRE FILE	ROAAll court minutesEntire File
Recordings & Tapes, Stenographic Records, and all related logs and indexes	Recordings, tapes and stenographic records with related logs and indexes 5 years from date of hearing; provided, that recordings of any case may be destroyed when that case is eligible for destruction, and stenographic records with related logs and indexes may be	None



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	destroyed upon settlement of reporter's transcript on appeal	
Trial/Hearing Exhibits -offered, admitted or rejected-	Following 10 days notice to the parties after expiration of time for appeal or from the determination of an appeal, or from the determination of a proceeding following an appeal, whichever is later, unless otherwise specifically provided	None
Exhibits/Attachments to pleadings filed conventionally pursuant to the following Idaho Rules for Electronic Filing and Service: 5(c) Limits on Exhibits 5(f) Federally Restricted Storage	1 year from expiration of the time for	None
5(k) Other Documents that cannot be Filed Electronically	an appeal or determination of an	
	appeal, or the determination of a	
	proceeding following an appeal,	
	whichever is later, unless otherwise	

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specifically provided	

- (c) Notice to Historical Society. The court shall give written notice to the Idaho State Historical Society of the intent to destroy or dispose of any record. No record shall be disposed of or destroyed for 90 days following notice unless the Idaho State Historical Society gives written notice to the court that it has no interest in obtaining or preserving the record.
- (d) Sealed Records. Documents in sealed cases may be preserved either in the form of the original document or a microfilmed or other permanent copy thereof; provided, however, that when preserved by microfilm, the microfilm shall be designated as "sealed" or shall be maintained in a separate sealed area. Sealed documents are not sent to the Historical Society, thus no notice to the Historical Society is necessary before sealed documents are destroyed.

(Adopted April 27, 1995, effective July 1, 1995; amended July 17, 1996, effective October 1, 1996; amended March 9, 1999, effective July 1, 1999; amended; amended March 28, 2000, effective July 1, 2000; amended Mary 22, 2000, effective July 1, 2000; amended May 4, 2020; effective July 1, 2020; amended July 28, 2021, effective July 28, 2021.)

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