

In the Supreme Court of the State of Idaho

IN RE: AMENDMENT TO IDAHO)
COURT ADMINISTRATIVE RULE 32)

ORDER

The Court, in recognition of the recently created section 6-303A, Idaho Code, and its stated intention to apply to unlawful detainer cases filed on or after January 1, 2025, and being fully informed as to the need for this rule amendment:

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

Idaho Court Administrative Rule 32. Records of The Judicial Department - Examination and Copying - Exemption from and Limitations on Disclosure.

* * *

(j) Court records shielded from disclosure.

- (1) Criminal case court records. Upon entry of an order shielding records pursuant to I.C. § 67-3004(11) all court records of the case in which such order is entered shall be shielded from public disclosure. Provided, the entry of an order shielding of court records pursuant to I.C. § 67-3004(11) from public disclosure shall not prevent access to the records by: (iA) the defendant, (iiB) judges, clerks, trial court administrators, or other staff employed by or working under the supervision of the courts who are acting within the scope of their duties, or (iiiC) law enforcement personnel and prosecuting attorneys acting in the exercise of their official duties and powers. If the shielding of criminal case court records is later revoked all records subject to the revocation shall again be open to public disclosure to the extent otherwise permitted by this Rule.

- (2) Unlawful detainer case court records. All court records of an I.C. § 6-303 unlawful detainer case shall be shielded from public disclosure if: (A) the case was filed on or after January 1, 2025, (B) the case is dismissed, (C) no appeal of the case is pending, and (D) three (3) years have passed from the filing of the case or a stipulation showing the parties have agreed to the shielding is filed with the court. Provided, the shielding of unlawful detainer case court records shall not prevent access to the records by the parties or judges, clerks, trial court administrators, or other staff employed by or working under the supervision of the courts who are acting within the scope of their duties.

* * *

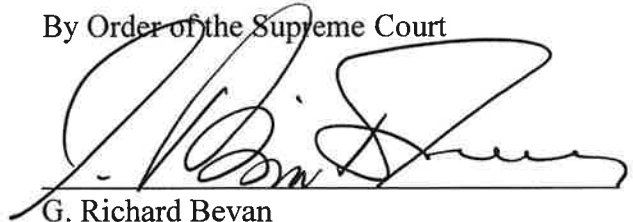
IT IS FURTHER ORDERED that this order and these amendments shall be effective January 1, 2025.

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 notice of this Order shall be published for three consecutive weeks on the Idaho State Bar's website and in its weekly E-Bulletin, and that as soon as practicable, a summary of the amendment(s) effected by this Order shall be published in one issue of *The Advocate*.

DATED this 9th day of December, 2024.

By Order of the Supreme Court



G. Richard Bevan
Chief Justice, Idaho Supreme Court

ATTEST: 
Melanie Gagnepain, Clerk

I, Melanie Gagnepain, 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 entered in the above entitled
cause and now on record in my office. WITNESS my
hand and the Seal of this Court 12-9-24
Melanie Gagnepain, Clerk

By  Deputy