

Public Records Request of Court Documents

Forms included in this packet for requesting documents from the courts include:

- Public Records Request
 - Request to Inspect, Duplicate or Transcribe Exempt or Sealed Records
1. Please complete the Public Records Request form for all requests. In addition,
 - a. Complete the Residency Declaration required under Idaho Code § 74-102(4)
 - b. Review the Acknowledgment of Timeline and Acknowledgment of Fees and sign the form.
 2. If you are requesting confidential, exempt or sealed records, from a case for which you are NOT a party, you must also complete the *Request to Inspect, Duplicate or Transcribe Exempt or Sealed Records*.
 3. Return the forms to clerks@bonner.idcourts.gov for processing, or you may bring them to the Clerk's office at the courthouse, 215 S. First Avenue, Sandpoint.



Bonner County Clerk's Office

Michael W. Rosedale
Clerk/Auditor/Recorder
215 S. First Avenue
Sandpoint, ID 83864
208-265-1432
Email: clerks@bonner.idcourts.gov

Date Received : _____

Clerk Initials: _____

PUBLIC RECORDS REQUEST FORM (please print)

REQUESTOR INFORMATION:

Name: _____ Date of Request: _____
Mailing Address: _____ City: _____ State: _____ Zip Code: _____
Phone No.: _____ Email: _____
Case No. _____ Case Name: _____
(Ex: Civil Case: Smith v. Jones, Estate of Smith, etc. **OR** Criminal: Defendant's Name)

DELIVERY METHOD OF REQUEST:

Documents: [] Email [] US Mail [] Pick up **Audio:** (mp3 format only): [] Email [] US Mail [] Pick up

REQUEST: [] Audio of court proceeding. **Date / Hearing Type** _____
[] Court Transcript (must already be part of the file) **Date / Hearing Type** _____
[] Document(s): _____

[] Certified Document(s): _____
Quantity of certified copies requested above _____

RESIDENCY DECLARATION (Required per Idaho Code § 74-102(4))

I hereby declare, under oath, the following regarding my residency status:

- ☐ I AM a resident of the State of Idaho (or an employee of a resident)
☐ I AM NOT a resident of the State of Idaho.

ACKNOWLEDGMENT OF TIMELINE

Idaho Resident Requests (Idaho Code § 74-103(2))

- Response is due within three (3) working days.
- If more time is needed, a written notice will extend the deadline to ten (10) working days.

Non-Idaho Resident Requests (Idaho Code § 74-102(10)(g))

- A response is due within twenty-one (21) working days.
- If more time is needed, written notice will extend the deadline to thirty-five (35) working days.

ACKNOWLEDGMENT OF FEES:

No fee shall be charged for the first two (2) hours of labor reasonably necessary to respond to the request, except as specifically authorized or prescribed by Idaho law. No fee shall be charged for copying the first one hundred (100) pages of paper records, except as otherwise specifically authorized by Idaho law.

Pursuant to Idaho Court Administrative Rule 32(k)(6), the cost to make a paper copy of any record filed in a case with the clerk of the district court shall be determined by the clerk, and shall not exceed the amount specified in I.C. § 31-3201.

When fees are authorized because a request involves more than one hundred (100) pages of paper records, requires deletion of nonpublic information, or requires more than two (2) person hours of labor, the Clerk may charge for actual labor and copying costs authorized by Idaho Code § 74-102.

For electronic records, recordings, compact discs, USB flash drives or other electronic media, the Clerk's Office may recover the actual costs for producing or transferring the requested records.

The Clerk may require payment of estimated costs before undertaking work for which the requester may lawfully be charged. Any amount collected in advance shall be reconciled with the actual costs incurred and any overpayment shall be refunded to the requester. The statutory period for the Clerk's response shall remain suspended pending receipt of the required payment or any additional information required to complete the request. Should payment or the required information not be received within **ten business days of the date of the correspondence**, the request will be deemed closed.

Signature of Requester: _____ Date: _____

MONTH/YEAR OF REQUEST:

CASE NUMBER AND NAME:



Bonner County Clerk's Office Public Records Request Response Form

This serves as the official response to your public records request. The Clerk's Office has reviewed your request and has determined the following action must be taken:

STATUS OF REQUEST:

- ☐ **Granted in Full**—Nonpublic information may be redacted pursuant to Idaho Court Administrative Rule 32
- ☐ **Resident Extension Notice**—Pursuant to Idaho Code § 74-103(1), the records cannot be retrieved or reviewed within the initial three (3) working days. The Clerk hereby extends the response period to a total of ten (10) working days from the date the request was received.
- ☐ **Non-Resident Extension Notice**—Pursuant to Idaho Code § 74-103(1), the records cannot be retrieved or reviewed within the initial twenty-one (21) working days. The Clerk hereby extends the response period to a total of thirty-five (35) working days from the date the request was received.
- ☐ **Advance Payment Required**—The statutory period for the Clerk's response shall remain suspended pending receipt of the required payment. Should we not receive payment within ten (10) business days of the date of this correspondence, the request shall be deemed closed.

- ☐ Estimate of Total Labor _____ Total Pages _____ Total Estimate Due \$ _____
- ☐ Storage retrieval fee (\$20/file). Total Fee Due \$ _____
- ☐ Remaining Balance (refer below for breakdown). Total Balance Due \$ _____

☐ **Court Authorization Required**—The records you have requested are exempt from disclosure pursuant to Idaho Court Administrative Rule 32. Please complete and submit the attached **Request to Inspect, Duplicate or Transcribe Exempt or Sealed Records** for review by the court. The statutory period for the Clerk's response shall remain suspended pending receipt of this document. Should we not receive the document within ten (10) business days of the date of this correspondence, the request shall be deemed closed.

☐ **Denied in Part**—Your request is granted in part. Portions of your request may be exempt from public disclosure, or no responsive records exist within the Clerk's office, or _____

☐ **Denied in Full**

- ☐ The requested Records do not exist within the Clerk's office
- ☐ The Request to Inspect, Duplicate or Transcribe Exempt or Sealed Records was denied (see attached order).
- ☐ Other _____

OFFICIAL USE ONLY

Paper copies of court records:	_____ pages at \$1.00 per page	\$ _____
Flash Drive:	_____ \$4.00 per drive	\$ _____
Court Certification and Seal:	_____ documents at \$1.00 per document	\$ _____
Other:	_____	\$ _____
Postage and Handling Fee:	Standard envelope (1-4 pages) \$1.63	\$ _____
	Large envelope (5-9 pages) \$2.40	
	Large envelope (10-25 pages) \$5.55	
	Large envelope (26-50 pages) \$10.75	
	Flash Drive (1) \$5.00	
Credit Card Processing Fee (3.5%):		\$ _____
Less storage fees or estimated costs previously paid:		(\$ _____)
	BALANCE DUE	\$ _____

Request completed by: _____ Date: _____
Deputy Clerk

REQUEST TO INSPECT, DUPLICATE OR TRANSCRIBE EXEMPT OR SEALED RECORDS

Pursuant to Idaho Court Administrative Rule 32, the following case files and records maintained by the court are confidential and are exempt from disclosure:

- Documents and records to which access is restricted by state or federal law;
- Presentence investigation reports, except as provided in Idaho Criminal Rule 32;
- Documents in support of the issuance of search or arrest warrants pending the return of the warrant;
- Unreturned search warrants arrest warrants, or summonses in a criminal case;
- Records of proceedings and the identity of jurors of grand juries, except as provided by Idaho criminal rules or statutes;
- The names of jurors placed in a panel for a trial of an action and jury qualification forms and questionnaires, unless ordered to be released by the presiding judge;
- Juvenile case records, including records of proceedings under Youth Rehabilitation Acts, the Juvenile Corrections Act or Child Protective Acts, with certain exceptions. If a request is made to examine records in courts of multiple Districts, it shall be ruled upon by the Chief Justice of the Supreme Court.
- Mental commitment case records, with certain exceptions;
- Adoption records and records of proceedings to terminate the parent and child relationship, with certain exceptions for medical records;
- All records of proceedings relating to the consent required for abortion for minors brought pursuant to IC 18-609A(1) or (3);
- Documents filed or lodged with the court in camera;
- Domestic abuse files maintained pursuant to domestic violence crime prevention acts, except orders of the court;
- Records gathered for the court (other than records that have been admitted in evidence) to determine the need for counseling, rehabilitation treatment, or assistance with personal conflicts; to assist in assigning an appropriate disposition in a case; to provide the court with recommendation regarding child custody; or to provide the court with psychological evaluation;
- Judicial work product or drafts, including all notes, memoranda or drafts prepared by a judge, law clerk, legal assistant or secretary, and used in the process of preparing a final decision or order, except the official minutes prepared; pursuant to law; and
- Records prohibited or limited from disclosure by order of the court on a case-by-case basis, pursuant to ICAR 32(g).

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNER

_____	Case No.:
Plaintiff/Petitioner	REQUEST TO INSPECT, DUPLICATE OR
vs	TRANSCRIBE EXEMPT OR SEALED
_____	RECORDS
Defendant/Respondent	

Name and Current Address of Person Requesting Disclosure:

Phone #: _____

Email: _____

I am requesting:

- ☐ A copy of a document(s):
- ☐ An audiotape of a proceeding on _____ (date)
- ☐ To examine the entire court file
- ☐ To examine a document in the file

For Adoption or Termination of Parental Rights Cases:

Year of Adoption or Termination: _____

Adopting Parent(s) Name: _____

Child's Name before Adoption: _____

Birth Mother's Name: _____

Birth Father's Name: _____

If you are asking for a copy of documents, or to examine documents, please describe the documents in detail: _____

Dated: _____
Signature of Requester

ACTION TAKEN BY CUSTODIAL JUDGE

- ☐ Hearing required (see attached Notice of Hearing)
- ☐ Request granted for disclosure.
- ☐ Request denied for disclosure. Reason for denial or comments: _____

Dated _____
Judge

CERTIFICATE OF MAILING

I certify that on this date _____, I served a copy of the attached to:

Michael W. Rosedale
Clerk of the Court

Dated: _____

By: _____
Deputy Clerk



BONNER COUNTY PUBLIC RECORDS REQUEST FEE SCHEDULE

While standard public records requests are governed by the **Idaho Public Records Act (I.C. § 74-102)**, the duplication of recorded records, land documents and certified court records is governed by specific Idaho Statutes and county fee schedules. **Recorder's Office (I.C. § 31-3205) and Courts (I.C. § 31-3201)**.

***Payment in Advance:** When fees are due, Bonner County requires those fees to be prepaid before documents will be copied, certified, or mailed out. Checks should be made payable to the **"Bonner County", "Bonner County Recorder" or "Clerk of the District Court"** respectively.

1. General Public Records Requests Fees (All County Departments)

Quantity / Type	Fee Amount
Black & White Copies – First 100 pages –	\$0.00 (No Charge) (Does not apply to non-Idaho residents)
Black & White Copies – Pages 101+	\$0.25 per page
Color Copies – 8 ½ x 11	\$1.25 per page
Color Copies – 8 ½ x 14	\$1.75 per page
Color Copies – 11x17	\$2.50 per page
Electronic Records (Email/Download)	\$0.00 (No Charge)
Staff/Legal Labor – Residents of Idaho Only	First 2 hours free. Thereafter, hourly rate of lowest-paid employee qualified to process/redact.
Staff/Legal Labor – Non-Idaho Residents	Hourly rate of lowest-paid employee qualified to process/redact.

Media / Formatting Type	Fee Amount
Electronic Records (Email/Download) – Residents of Idaho Only	\$0.00 (No Charge) (<i>Unless labor exceeds 2 hours</i>)
Electronic Records (Email/Download) – Non-Idaho Residents	Hourly rate of lowest-paid employee qualified to process/redact.
Physical Media (CD, DVD, USB Flash Drive)	Actual direct cost of the blank media device.
Non-Standard Copies (Maps, Blueprints, etc.)	Actual commercial or internal cost of reproduction.
Third-Party Format Conversion and Hearing Transcripts	Actual cost of conversion charged to the County.
Credit Card Processing Fee	3.0% + \$1.00

2. County Recorder / Land Records Fees

Service Type	Fee Amount
Standard Copy of Recorded Document	\$1.00 per page
Certified Copy of Recorded Document	\$1.00 per document certification fee (<i>plus \$1.00/page copy fee</i>)
Copy of Recorded Survey	\$4.00 per page
Copy of Recorded Plat Map	\$4.00 per page
Military Discharge (DD-214) Copy	\$0.00 (No Charge) ID Required (Secured Document)
Credit Card Processing Fee	3.0% + \$1.00

3. Court Records Fees (District Court Clerk)

Service Type	Fee Amount
Uncertified Copy of Court Record	\$1.00 per page
Certification Fee with Court Seal	Additional \$1.00 per document
Comparing and Conforming Prepared Copy	\$0.50 per page (<i>If you bring your own pre-printed copy for the clerk to verify</i>)
Exemplified Copy	Additional \$1.00 per Court Seal
Storage Retrieval Fee	\$20.00 per File
Audio Recordings	\$10.00 per 8GB Flash Drive or Electronic Transfer
Credit Card Processing Fee	3.5%

4. Postage and Handling Fees

Postage and Handling	Fee Amount
Standard Envelope (1-4 pages)	\$1.63
Large Envelope (5-9 pages)	\$2.40
Large Envelope (10-25 page)	\$5.55
Large Envelope (26-50 pages)	\$10.75
Email (Documents Only)	No Charge
Flash Drive (1)	\$5.00
Express Mail	TBD