

IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF IDAHO

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ADMINISTRATIVE ORDER  
C25-DW.2

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ORDER REGARDING RETENTION AND DESTRUCTION OF CIVIL RECORDS

**IT IS HEREBY ORDERED**, pursuant to Rule 37 of the Idaho Court Administrative Rules, that the Clerks of the District Court in each of the counties of the First Judicial District, State of Idaho, shall preserve indefinitely the register of actions, proof of service, the final order/judgment/decree, notice of intent to destroy exhibits, court minutes, finding of fact & conclusions of law, property settlements, and any writ of execution and/or any satisfaction of judgment in any civil action or special or other proceeding.

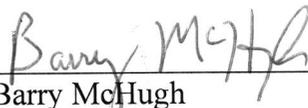
**IT IS FURTHER ORDERED** that additional court records shall be retained pursuant to the terms prescribed by the Idaho Supreme Court and appended to this Order.

**IT IS FURTHER ORDERED** The documents to be maintained will be preserved indefinitely by preserving the document either in the form of the original signed document or another permanent copy thereof. Unless otherwise provided, the destruction of documents which may be destroyed may occur one (1) year from the expiration of the appeal time, or the determination of an appeal, or the determination of a proceeding following an appeal, whichever is later.

Provided further, this shall not prohibit a Court from releasing, destroying, or disposing of exhibits at any time, or allowing the substitution of copies under such conditions to ensure the existence and availability of the exhibit in the event of an appeal.

**IT IS FURTHER ORDERED** that exhibits offered or admitted in evidence, or any other property used, displayed, or considered in connection with any action may be destroyed or disposed of by the Clerk of the District Court when the same is no longer necessary for the determination of the action or appeal of such action after notice to the parties. Exhibits marked, but not offered at trial, may be returned at the conclusion of the trial to the party who had the exhibit marked.

DATED this \_\_\_\_ day of March, 2025.

  
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Barry McHugh  
Administrative District Judge

<b><u>Case Type/ Type of Record</u></b>	<b><u>Minimum Time to Keep Entire Record</u></b>	<b><u>When Destroying, Minimum Record to Preserve</u></b>
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	<ul style="list-style-type: none"> <li>• ROA</li> <li>• All court minutes</li> <li>• Proof of Service</li> <li>• Findings of Fact &amp; Conclusions of Law</li> <li>• Final Order, Judgment or Decree</li> <li>• Property Settlement</li> <li>• Renewal/Satisfaction of Judgment</li> <li>• Notice of Intent to Destroy Exhibits</li> </ul>
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, unless otherwise specifically provided <b>EXCEPT ORIGINAL WILLS SHALL NEVER BE DESTROYED</b>	<ul style="list-style-type: none"> <li>• ROA</li> <li>• All court minutes</li> <li>• Proof of Service</li> <li>• Will (never destroy original)</li> <li>• Letters Testamentary</li> <li>• Letter Intestate</li> <li>• Inventory/Appraisal</li> <li>• Finding of Fact &amp; Conclusions of Law</li> <li>• Final Order, Judgment or Decree</li> <li>• Final Accounting</li> <li>• Notice of Intent to Destroy Exhibits</li> </ul>
Guardianship/Conservatorship	1 year after guardianship or conservatorship has been terminated	<ul style="list-style-type: none"> <li>• ROA</li> <li>• All court minutes</li> <li>• Proof of Service</li> <li>• Finding of Fact &amp; Conclusions of Law</li> <li>• Final Order, Judgment or Decree</li> <li>• Final Accounting</li> <li>• Notice of Intent to Destroy Exhibits</li> </ul>
Child Protective Act (See Rule 38 for Youth Rehabilitation Act/Juvenile Corrections Act)	1 year from expiration of the time for an appeal or determination	<ul style="list-style-type: none"> <li>• ROA</li> <li>• All court minutes</li> <li>• Proof of Service</li> </ul>

	of an appeal, or the determination of a proceeding following an appeal, whichever is later, unless otherwise specifically provided	<ul style="list-style-type: none"> <li>• Finding of Fact &amp; Conclusions of Law</li> <li>• Final Order, Judgment or Decree</li> <li>• Any Reports Submitted</li> <li>• Notice of Intent to Destroy Exhibits</li> </ul>
Domestic Relations -involving children-	Until the time the youngest child reaches the age of majority	<ul style="list-style-type: none"> <li>• ROA</li> <li>• All court minutes</li> <li>• Proof of Service</li> <li>• Finding of Fact &amp; Conclusions of Law</li> <li>• Child Support Orders</li> <li>• Decrees/Modified Decrees</li> <li>• Notice of Intent to Destroy</li> <li>• Exhibits</li> <li>• Support Payment Records</li> <li>• Property Settlement Agreements</li> </ul>
Adoptions/Termination of Parental Rights	ALWAYS KEEP ENTIRE FILE	<ul style="list-style-type: none"> <li>• ROA</li> <li>• All court minutes</li> <li>• Entire File</li> </ul>
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 destroyed upon settlement of reporter's transcript on appeal	None
Trial/Hearing Exhibits -offered, admitted or rejected-	Following 10 days notice to the parties after expiration of time	None

	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	
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 5(k) Other Documents that cannot be Filed Electronically	1 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	None