

3rd JUDICIAL DISTRICT  
STATE OF IDAHO

CRIMINAL RECORDS  
DISPOSITION DIRECTIVE

Procedure:

Upon written order of the Administrative Judge, criminal court records may be destroyed under the following procedure:

1. Retain indefinitely the original and any amended complaint or information and the final judgment of conviction or dismissal and and sentence order, except traffic offenses.
2. Retention of all documents listed in (1) above may be by:
  - (a) Preservation in original form;
  - (b) Microfilming (in duplicate), provided the microfilm is of archival quality.

If the documents are properly microfilmed, the original documents may be destroyed.

3. All tapes may be erased and all recordings, stenograph records, pleadings, motions, affidavits and all other written documents in the file may be destroyed, provided that
  - (a) The defendant is NOT incarcerated nor being held in any Idaho state or county institution in connection with the conviction to which the records pertain; or
  - (b) The defendant is NOT participating in a court-ordered probation or rehabilitation program; or
  - (c) The defendant is NOT subject to conditions of parole in connection with the conviction to which the records pertain.
4. At least 5 years have elapsed since the expiration of (a) the time for an appeal, (b) determination of an appeal or (c) the determination of a proceeding following an appeal.
5. Tapes may be erased only under the direct supervision of the clerk of the district court or his/her designee.
6. Each clerk of the district court shall report, on the attached report form, to the trial court administrator immediately a series of records is disposed of or destroyed.

Dated this 10 day of January, 1984.

*Amend to deal w Infractions - speed  
& Traffic - 3 yrs - 2 years record.*

*[Signature]*  
Trial Court Administrator