

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT **F I L E D**
A.M. 1:50 P.M.

OF THE STATE OF IDAHO

AUG 24 2004

CANYON COUNTY CLERK
T. CRAWFORD, DEPUTY

In Re: Retention of County Documents and)
Destruction of Originals)
)
)
_____)

**ADMINISTRATIVE
ORDER 2004-5**

WHEREAS, by order of the Supreme Court and pursuant to Idaho Code § 1-907, the Administrative Judge in each judicial district has been granted administrative supervision and authority over the courts in their respective districts; and

WHEREAS, Idaho Code § 9-331A provides that county officers required or authorized to maintain original documents may replace original documents by recording the same on media other than paper, or by electronic means; and

WHEREAS, Idaho Code § 9-331A further provides that after original documents have been retained in another form pursuant to its provisions, the documents from which such records were retained may be disposed of or returned to the sender; and

WHEREAS, Idaho Code § 9-332 provides that such disposition or destruction of documents plats, papers, written instruments or books reproduced as provided in Idaho Code § 9-331 may only take place upon order of the district court having jurisdiction when the document is at least one (1) year old, provided that sixty (60) days notice is given to the Idaho Historical Society prior to the destruction of the document; and

WHEREAS, there is limited amount of space available to store documents at the Canyon County Courthouse and the other offices of Canyon County; and

WHEREAS, Canyon County desires to replace many of its original documents, on a regular basis by optically scanning said documents and storing them as follows:

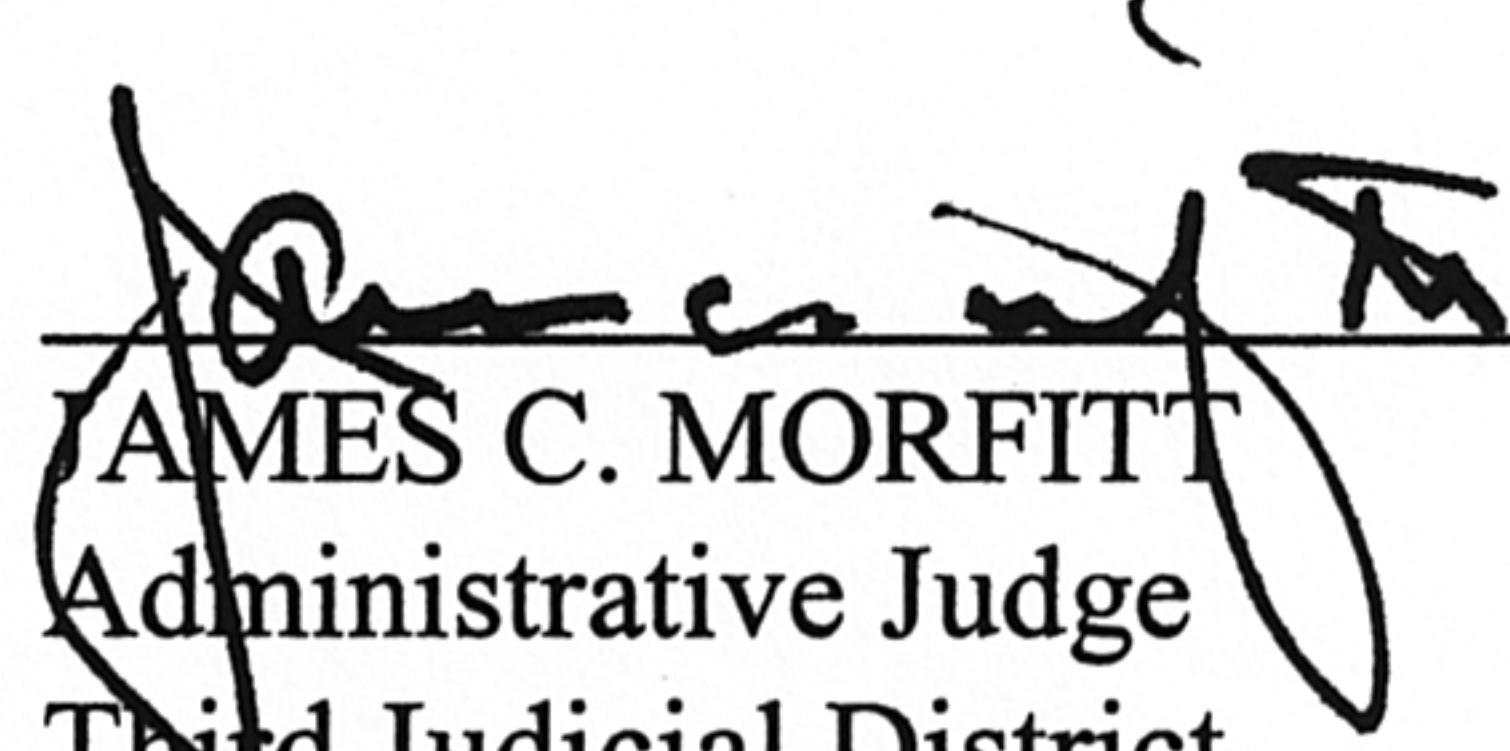
1. Original documents may only be reproduced by scanning said documents into the County computer system.
2. Scanned images shall be written to redundant hard drives that are write protected from end users so that they can only write new information and read existing information. End users will not be able to modify or delete images.
3. Paper documents that have been scanned will not be destroyed until the document is at least one (1) year old and until sixty (60) days notice is given to the Idaho Historical Society of the planned destruction of the document.

4. Archive backups on electronic media will be made every month during the first weekend of that month. These backups will include all scanned images and the paperclip database.
5. After the backup is made, the electronic media containing this data will be physically removed from the backup library system and stored in a bank safety deposit box for a period of six(6) months. Each month the entire database will be backed up onto electronic media. The purpose of maintaining six (6) monthly copies of the database is to provide redundancy in order to protect against inadvertent loss of data. The monthly backup will copy the entire database as it exists at that time and will not be limited to the data added or changed for just that past month.
6. In addition to the above, a set of changes to the system will be backed up every weeknight. These will accumulate throughout the month so that every night includes all changes that have been made since the previous monthly archive. The nightly backups will stay in the backup library system to be reused after a period of four weeks.
7. In addition to the above, a backup will run every weekend to an online remote location. This backup will include all images and the paperclip database, and is retained for a least one week, so that the following week's backup is complete before the backup from the previous week is overwritten.

THEREFORE, IT IS HEREBY ORDERED that on an ongoing basis and without further order from this Court; Canyon County, its elected officials, and its various departments may, upon resolution of the Canyon County Board of Commissioners, destroy any and all original documents which they are required or authorized to maintain by law, after the original documents have been replaced, retained and preserved pursuant to the procedures as described above, in accordance with the requirements of Idaho Code 9-331A and 9-332.

IT IS FURTHER ORDERED that the time and notice requirements of Idaho Code § 9-332 shall be complied with prior to the destruction of any of the above documents.

Dated this 24th day of August, 2004.



JAMES C. MORFITT
Administrative Judge
Third Judicial District