

F I L *5000* D
A.M. P.M.

NOV 21 2012

CANYON COUNTY CLERK
D KENNEL, DEPUTY

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

Approval of Requests of Audio Recordings) **ADMINISTRATIVE ORDER**
) **2012-17**
_____)

Whereas, Idaho Court Administrative Rule (I.C.A.R.) 45 affirms the power of the district or magistrate judge presiding over a public proceeding to limit the dissemination of audio recordings of such proceeding; and

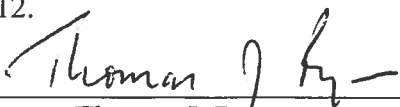
Whereas, the Clerk routinely receives requests for audio recordings of court proceedings; and has routinely released said recordings pursuant to I.C.A.R. 32 (d);

Whereas, I.C.A.R. 45(e) directs the administrative district judge to promulgate rules governing the dissemination of audio recordings outside the courtroom within the district; and I.C.A.R. 32 (i) directs that when considering sealing all or part of a record the court is referred to the traditional legal concepts in the law including the right to a fair trial;

IT IS HEREBY ORDERED that, as of the date of this Order, all requests received by the Clerk for an audio recording of a public proceeding before any district or magistrate judge in the Third Judicial District shall be forwarded to the presiding judge for approval prior to the Clerk generating such recording. However, in the event that the presiding judge does not respond to the Clerk within forty-eight (48) hours, excluding weekends and holidays, the Clerk is authorized to release a copy of the requested recording pursuant to I.C.A.R. 32 (d).

IT IS FURTHER ORDERED that nothing herein shall be construed to authorize the release or disclosure of information or records exempt from disclosure pursuant to I.C.A.R. 32.

Dated this 21st day of November, 2012.



Thomas J. Ryan
Administrative District Judge