



Public Records Request

The Idaho State Public Defender (SPD) values transparency in government and complies with the **Idaho Public Records Act**, found at Idaho Code §§ 74-101 through 74-126. Idaho Code §74-105(18) exempts some limited SPD records from disclosure under the rules adopted by the Idaho supreme court, attorney work product, attorney-client privileged communication, records containing confidential information from an individual about his criminal case or performance of his attorney, or confidential information about an inquiry into an attorney’s fitness to represent indigent defendants.

Pursuant to Idaho Code § 74-102(10), the SPD will require pre-payment to recover the actual labor and copy costs used to fulfill public records requests, if (a) the request is for more than one hundred (100) pages of paper records, or (b) the request includes records from which nonpublic information must be deleted, or (c) actual labor associated with responding to the request exceeds two (2) person hours. Labor costs may depend on the nature of the request and required redactions.

Questions 3, 4 and 5, below, help the SPD make a determination regarding possible exceptions to charging a fee in connection with duplicating records associated with this request. Please note that the SPD is not required to compile new documents in response to a public records request. The SPD will provide documents that are as responsive as possible to any request, and the SPD **may** compile and provide the information if it determines, in its discretion, that the resources are available to compile the information and that it is an appropriate use of public resources. The SPD may delegate to its staff the authority to make the initial determination as to whether to provide the compiled information.

Please use this form to request public records from the SPD.

Date of Request

First Name Last Name

Street address for records to be sent

City State Zip

Telephone

Email

Format for documents: Paper Copies PDF Other (please specify)

1. Will this information be used for the purpose of a mailing or telephone list? See *Idaho Code § 74-102(5)(b)* Yes **NO**
2. Is this records request likely to contribute significantly to the public’s understanding of the operations or activities of the government? If yes, any fees associated with providing copies will be waived. See *Idaho Code § 74-102(10)(f)(i)* **YES** No
3. Is this records request not primarily in the individual interest of the requester including, but not limited to, the requester’s interest in litigation in which the requester is or may become a party? If yes, any fees associated with providing copies will be waived. See *Idaho Code § 74-102(10)(f)(ii)* **YES** No
4. Will this request be prevented if the fees are charged because the requester has insufficient financial resources to pay such fees? If yes, any fees associated with providing copies will be waived. See *Idaho Code § 74-102(10)(f)(iii)* **YES** No

What records are requested? Please be as specific as possible. For example, use dates specific document names if you have them, specific county(ies), etc.

Signature of requesting party:

SPD Request No. _____ - _____

FOR STATE PUBLIC DEFENDER USE ONLY

Request Approved: The requested records are attached to this response. **Date**

Request Delayed: Additional time is necessary to locate or retrieve the requested record. You should receive a response no later than ten (10) working days following the date of your request. **Date**

Request Denied **Date**

Documents not known to exist.

The SPD is not custodian of the requested record(s).

The requested record is exempt from disclosure pursuant to Idaho Code §§ 74-104 through 74-111.

This request will be used for the purpose of a mailing or telephone list. *See Idaho Code § 74-102(5)(b)*

Notice of Partial Denial: Your record(s) request has been partially denied. **Date**

Certain information has been determined to be exempt from disclosure pursuant to Idaho Code §§ 74-104 through 74-111 and has therefore been deleted or redacted from the requested record. A copy of the requested record with certain information deleted is attached.

The SPD is not custodian of the requested record(s).

Number of pages copied, if greater than 100

Number of person hours to fulfill request

No charge for copies/person hours. Reason(s):

This records request is likely to contribute significantly to the public's understanding of the operations or activities of the government. *See Idaho Code § 74-102(10)(f)(i)*

This records request is not primarily in the individual interest of the requester including, but not limited to, the requester's interest in litigation in which the requester is or may become a party. *See Idaho Code § 74-102(10)(f)(ii)*

This request would be prevented if the fees are charged because the requester has insufficient financial resources to pay such fees. *See Idaho Code § 74-102(10)(f)(iii)*

Approving Authority

Date

Notes:

