



## Public Records Request – Idaho State Appellate Public Defender

The Idaho State Appellate Public Defender (SAPD) values transparency in government and is committed to compliance with the Idaho Public Records Act, Idaho Code §§ 74-101 through 74-127. However, because the SAPD provides legal representation to individual clients, records pertaining to the legal services it provides to its clients must remain confidential and, therefore, are exempt from public disclosure under Idaho law. Specifically, “[r]ecords of . . . the office of the state appellate public defender containing information protected or exempted 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” are exempt from public disclosure. I.C. § 74-105(18). So too are records concerning the “performance of [an] attorney, or confidential information about an inquiry into an attorney’s fitness to represent indigent defendants,” I.C. §§ 74-105(18), and certain personnel records for the SAPD’s attorneys and other employees, *see* I.C. § 74-106.

If you wish to request records from the SAPD, you must submit your request on this form. In order for the SAPD to consider your request, *this form must be filled out completely*. Completed forms may be submitted by email ([documents@sapd.idaho.gov](mailto:documents@sapd.idaho.gov)) or may be mailed or hand-delivered to the SAPD’s office (322 E. Front St., Suite 570, Boise, Idaho 83702).

Please note that the SAPD is not required to compile new documents in response to a public records request. The SAPD will provide documents that are as responsive as possible to any request, and the SAPD *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 SAPD may delegate to its staff the authority to make the initial determination as to whether to provide the compiled information.

### Requesting Party’s Information

Idaho Resident?  Yes  No

First Name:  Last Name:

Mailing Address:  City:

State:  Zip Code:

Telephone Number:  Email Address:

## Request for Records

Date of Request:

Record(s) requested (please be as specific as possible):

Date range for requested documents:

Preferred format for requested documents:  Paper Copies  PDF  Other (please specify):

Will this information be used for the purpose of a mailing or telephone list?  Yes  No

## Payment Information

In accordance with Section 74-102(10), the SAPD may require pre-payment of labor and copy costs incurred in fulfilling public records requests, if: (a) the request is for more than one hundred (100) pages of paper records, (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.

Some Idaho residents may be exempt from fees for the SAPD's labor and copy costs. Your answers to the questions below will help the SAPD determine whether you may be exempt.

- Is this records request likely to contribute significantly to the public's understanding of the operations or activities of the government?  Yes  No
  
- Is this records request 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?  Yes  No
  
- Will this request be prevented if the fees are charged because the requester has insufficient financial resources to pay such fees?  Yes  No

I declare under penalty of perjury that the foregoing is true and correct.

Signature of requesting party: \_\_\_\_\_

Date: \_\_\_\_\_