

CAO UD Instruction 4

Stipulation to Shield Records from Public Disclosure

(Eviction Record Shielding Act)

Talk to an attorney, if possible.

WARNING: These instructions are not a substitute for legal advice. The laws and court rules are complex. Following these instructions will not guarantee you get what you want. We always recommend you talk to a lawyer about your problem before filing your paperwork. If you cannot afford to hire an attorney to represent you, you may be able to pay a lawyer to give you advice and review your paperwork for a lower cost. Contact the Idaho State Bar Lawyer Referral Service (208-334-4500) for the name of an attorney in your area who will provide an initial half-hour consultation for \$35. Contact the Court Assistance Office for information about resources for low-income people or visit the Idaho Supreme Court's Self-Help Center at <http://www.courtselfhelp.idaho.gov/>.

If you have eligible unlawful detainer (eviction) records in Idaho that were filed after **January 1, 2025**, and dismissed, you may agree with the other party to shield your records from public disclosure and file the agreement with the court. Shielding does not result in the destruction of records but instead prevents them from being publicly accessible. Per Idaho Code section 6-303A, eligible cases for shielding will be shielded after at least three (3) years have passed from the day on which the eviction was filed even if the parties do not agree to shield the case.

Step 1. Review your case to make sure it is an eligible case for shielding

Only certain cases may be shielded. Eligibility for shielding may be found in Idaho Code section 6-303A. The conditions for shielding include **all** of the following:

1. Your case was an unlawful detainer case filed under Idaho Code section 6-303.
2. The case was filed on or after **January 1, 2025**.
3. The entire case was dismissed.
4. There is no appeal pending for the case.
5. Both parties agree that all records from the case should be shielded from public disclosure.

Step 2. Complete the *Stipulation Form*

Fill out the Stipulation to Shield records from Public Disclosure.

- Type of fill out the *Stipulation* in black ink.
- Fill in your contact information at the top of the *Stipulation*. Fill in the district, county, case number, the other party's name as the Petitioner, and your name as the Respondent. You can obtain this information from the court if you do not have it.
- You and the other party need to sign and date the *Stipulation*.

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| John Doe <small>Full Name of Party Filing Document</small> <hr/> 12345 Main St. <small>Mailing Address (Street or Post Office Box)</small> <hr/> Anycity, ID 83111 <small>City, State and Zip Code</small> <hr/> 111-111-1111 <small>Telephone</small> <hr/> myemail@address.com <small>Email Address (if any)</small> <hr/> | <div style="border: 1px solid black; display: inline-block; padding: 2px 10px;">SAMPLE FORM</div> |
| IN THE DISTRICT COURT OF THE FOURTH _____ JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA _____ | |
| Jane Smith <hr/> Petitioner, v. John Doe <hr/> Respondent. | Case No. CRXX-XX-XXXXX Stipulation to Shield Records from Public Disclosure I.C. § 6-303A |

Step 3. File your *Stipulation* with the Court.

Take your original document and a copy to the county court where the case was filed. Ask the court clerk to date stamp your copy. The clerk will assist in filing the document. You may also file your form online by creating an ICourt account at <https://idaho.tylertech.cloud/OfsWeb>.

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