

TITLE 1
COURTS AND COURT OFFICIALS

CHAPTER 4
CLERK OF THE SUPREME COURT

1-402. FEES. The clerk of the supreme court shall charge, demand and receive the following fees for services rendered in discharging the duties imposed upon him by law:

For filing an appeal in each civil case appealed to the supreme court, sixty-eight dollars (\$68.00), to be paid by appellant or cross-appellant, such fee to be in full for all services rendered or to be rendered in filing papers, entering orders or judgments, recording opinion, issuing process and sending down remittitur, unless after the decision of the court has been rendered a petition for rehearing be presented, when a fee of sixty-one dollars (\$61.00) shall be paid by the petitioner for filing such petition; for filing an application for any writ commencing an original action in said court, other than writs in habeas corpus or criminal proceedings, sixty-six dollars (\$66.00), to be paid by the party presenting the application, in full for all services rendered or to be rendered, as hereinbefore designated, unless after the decision of the court a petition for rehearing be presented, when a fee of sixty-one dollars (\$61.00) shall be paid by the petitioner for filing such petition, for each certificate given at request, and under seal, two dollars and fifty cents (\$2.50); for copy of record, opinion of the court or other paper, an amount to be set by order of the supreme court, but an amount not less than the actual cost of preparing the copy; providing, that one (1) copy of every opinion or decision of the court shall be forthwith mailed to each litigant or his counsel in the suit or proceeding free of charge; for certificate of admission as an attorney including seal, oath and order, four dollars (\$4.00); for administering oaths or affirmations, including jurat, two dollars and twenty-five cents (\$2.25); for taking an acknowledgment or proof of a deed or other instrument, including seal and writing of the certificate, two dollars and fifty cents (\$2.50).

[(1-402) 1863, p. 475, sec. 103; R.S., sec. 262; R.C., sec. 213; am. 1917, ch. 18, sec. 1, p. 46; reen. C.L., sec. 213; C.S., sec. 190; I.C.A., sec. 1-402; am. 1941, ch. 151, sec. 1, p. 305; am. 1967, ch. 102, sec. 1, p. 211; am. 1981, ch. 238, sec. 2, p. 481; am. 1985, ch. 28, sec. 2, p. 51; am. 1988, ch. 24, sec. 1, p. 27; am. 1993, ch. 196, sec. 1, p. 535; am. 1996, ch. 256, sec. 1, p. 837.]

1-403. FILING PAPERS. He must file all papers that may be legally lodged with him for that purpose, noting the day, month, and year when so filed.

[(1-403) 1864, p. 423, sec. 4; R.S., sec. 264; R.C. & C.L., sec. 214; C.S., sec. 191; I.C.A., sec. 1-403.]

1-404. RESPONSIBILITY FOR BOOKS AND PAPERS. He is responsible for the safe custody and delivery to his successor of all books and papers belonging to his office.

[(1-404) 1864, p. 423, sec. 5; R.S., sec. 265; R.C. & C.L., sec. 215; C.S., sec. 192; I.C.A., sec. 1-404.]

1-405. AUTHORITY TO ADMINISTER OATHS. He may administer oaths in every case where an oath is authorized by law.

[(1-405) 1864, p. 423, sec. 6; R.S., sec. 266; R.C. & C.L., sec. 216; C.S., sec. 193; I.C.A., sec. 1-405.]

1-406. PROHIBITIONS. He must not practice as an attorney or counselor, nor be surety or bail in any case in the court of which he is clerk.

[(1-406) 1864, p. 423, sec. 7; R.S., sec. 267; R.C. & C.L., sec. 217; C.S., sec. 194; I.C.A., sec. 1-406.]

1-407. AUTHORITY TO TAKE ACKNOWLEDGMENTS. He is authorized to take acknowledgments of deeds and instruments of writing under the seal of his office.

[(1-407) 1864, p. 423, sec. 8; R.S., sec. 268; R.C. & C.L., sec. 218; C.S., sec. 195; I.C.A., sec. 1-407.]

1-408. OFFICIAL BOND. The clerk of the Supreme Court shall be bonded to the state of Idaho in the time, form and manner as prescribed by [chapter 8, title 59](#), Idaho Code.

[(1-408) 1864, p. 423, sec. 2; R.S., sec. 269; R.C. & C.L., sec. 219, C.S., sec. 196; I.C.A., sec. 1-408; am. 1971, ch. 136, sec. 1, p. 522.]