IN THE SUPREME COURT OF THE STATE OF IDAHO
Docket No. 53443

BRYAN SMITH,	)	
	)	
Plaintiff-Appellant,	)	
	)	**Rexburg, June 2026 Term**
v.	)	
	)	**Opinion Filed: August 31, 2026**
CHRIS POULTER IN HIS CAPACITY AS BONNEVILLE COUNTY CLERK,	)	**Melanie Gagnepain, Clerk**
	)	
Defendant-Respondent,	)	
	)	

Appeal from the District Court of the Seventh Judicial District of the State of Idaho, Bonneville County. Steven W. Boyce, District Judge.

The amended judgment of the district court is vacated. The decision of the district court is reversed.

Bryan Smith, Idaho Falls, pro se. Bryan D. Smith argued.

Bonneville County Prosecuting Attorney, Idaho Falls, for Respondent. Randolph B. Neal argued.

BEVAN, Chief Justice.

This appeal concerns the fee charged for a court records request pursuant to an administrative judicial order. In April 2025, Bryan Smith filed a request for certain court records with the Bonneville County District Court. Relying on a 2017 Administrative Order signed by an administrative district judge ("ADJ"), the Clerk's Office charged Smith a $352 fee to produce court records responsive to his request. After unsuccessfully seeking a reduction of the fee, Smith paid the fee and subsequently sued the Bonneville County Clerk raising two causes of action: (1) a claim for declaratory relief, stating that the fee charged was in excess of the fees provided for in Idaho Code section 74-102(10); and (2) a claim for "violation of code section," seeking damages as a result of the Clerk's violation of Idaho Code section 74-120(10). On cross motions for summary judgment, the district court determined that the Clerk had absolute quasi-judicial immunity and dismissed both claims without addressing whether Smith had been overcharged.

On appeal, Smith argues (1) the fee provisions of Idaho Code section 74-120(10) control the amount of fees that can be charged for the records instead of the Administrative Order, (2) the district court erred in determining that Smith's claim for declaratory relief was barred by quasi-judicial immunity, (3) quasi-judicial immunity does not apply to individuals sued in their official capacities, (4) sovereign immunity does not apply to a county clerk, (5) the district court erred in determining that Smith's claim for violation of Idaho Code section 74-102(10) was barred by quasi-judicial immunity, (6) the Clerk's position in this case is contrary to public policy, and (7) Smith is entitled to costs on appeal. We reverse the district court's grant of summary judgment and vacate the judgment. The case is remanded with instructions to enter judgment in favor of Smith consistent with this opinion.

I. FACTUAL AND PROCEDURAL BACKGROUND

A. Factual Background

The facts relevant to the legal issues in this appeal are not in dispute. On April 8, 2025, Smith filled out a Bonneville County District Court form requesting records under Idaho Court Administrative Rule 32 ("Rule 32"). He requested "[c]opies of all judgments together with certificates of service" for 169 small claims cases listed on a spreadsheet he attached to the records request form. The Clerk's Office responded to the request via email the next day, advising that the estimated processing fees for the request would be $332 plus an additional $10 for a USB drive. The estimated fees were based on the Seventh Judicial District's Administrative Order 2017-06-16 (the "Administrative Order"), which provided a $10.00 fee for the electronic duplication of court records on "electronic/digital format" and a $1.00 per page fee for "transmitting any portion of a judicial record by . . . digital means." Although Smith requested to use his own USB drive or to have the files transmitted via Google Docs or Dropbox, the Clerk's Office declined for IT security reasons.

As for the actual costs of labor incurred by the Clerk's Office, the record establishes that the hourly rate of the lowest-paid employee qualified to respond to Smith's request was $17.03 per hour and that the USB drive used to supply documents responsive to his request cost $6.00. Clerk's Office personnel spent approximately 174 minutes responding to Smith's records request.

On April 15, the Clerk's Office notified Smith that it had completed his records request and the total charge for the pages produced and USB drive would be $352. Smith asked for a reduction of the charge, which the Clerk refused, and Smith paid the full amount via check the same day.

B. Procedural Background

After paying the $352 fee, Smith promptly filed suit against Penny Manning, the Bonneville County Clerk (the "Clerk"), in her official capacity. Manning retired during the pendency of this action and has been replaced by Chris Poulter.[1] *See* I.R.C.P. 25(d). Smith's Complaint raised two counts. Count One sought a declaratory judgment that he was overcharged for his records request and that the Clerk was required to follow Idaho Code section 74-102(10) in charging fees for electronic data. Count Two raised a claim of "Violation of Code Section," alleging that the Clerk violated Idaho Code section 74-102(10) by overcharging fees and that Smith "suffered damages as a result of Defendant's refusal to follow" Idaho Code section 74-102(10). Smith's prayer for relief sought damages "in an amount to be proven at trial," costs of suit, and other equitable relief.

The parties subsequently filed cross motions for summary judgment. Critical to this appeal, in support of his motion the Clerk argued that he was immune from suit because his actions were taken in a quasi-judicial capacity of enforcing the Administrative Order. As to the immunity argument, Smith responded that immunity did not apply because he had sued the Clerk in his official capacity rather than his individual capacity. The Clerk did not file a memorandum in opposition to Smith's motion for summary judgment.

After a hearing on September 4, 2025, the district court issued a Memorandum Decision and Order denying Smith's motion for summary judgment and granting the Clerk's motion for summary judgment. In its decision, the district court declined to reach the merits of Smith's claims and instead concluded that the Clerk had absolute quasi-judicial immunity. The district court reasoned that the Clerk was acting pursuant to a court order in his capacity as a court official and, as such, was entitled to immunity from civil suit. The district court determined that this immunity extended both to Smith's claim for damages under Idaho Code section 74-102 and his claim for declaratory relief. Accordingly, the district court granted the Clerk's motion for summary judgment as to both claims in Smith's complaint and entered a judgment. Smith filed a timely appeal.

II. ISSUES ON APPEAL

1. Did the district court err in determining that the Clerk had absolute quasi-judicial immunity from suit?

[1] Although the bulk of the litigation below occurred during Ms. Manning's term in office, references to "the Clerk" in this opinion are to Mr. Poulter given the automatic substitution of parties provided for by Idaho Rule of Civil Procedure 25(d).

2. Is the Administrative Order consistent with Idaho Court Administrative Rule 32?
3. Is Smith entitled to costs on appeal?

III. STANDARD OF REVIEW

This Court applies the same standard of review used by the lower court when reviewing a summary judgment ruling. *Shubert v. Ada Cnty.*, 166 Idaho 458, 465, 461 P.3d 740, 747 (2020) (citations omitted). That standard provides that summary judgment must be granted "if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law." I.R.C.P. 56(a). "If there is no genuine issue of material fact, only a question of law remains, over which this Court exercises free review." *Infanger v. City of Salmon*, 137 Idaho 45, 47, 44 P.3d 1100, 1102 (2002) (citing *Post v. Idaho Farmway, Inc.*, 135 Idaho 475, 20 P.3d 11 (2001)).

The interpretation of statutes and court rules are both questions of law over which this Court exercises free review. *Hill v. Blaine Cnty.*, 173 Idaho 856, 862, 550 P.3d 264, 270 (2024) (statutes); *State v. Rose*, 173 Idaho 653, 656, 546 P.3d 665, 668 (2024) (court rules).

This Court has not expressly stated whether application of the doctrine of quasi-judicial immunity is a question of law. That said, consistent with other jurisdictions addressing the issue, we hold that whether an individual is entitled to quasi-judicial immunity is also a question of law subject to free review. *See, e.g.*, *Diaz v. Cantu*, 123 F.4th 736, 746 (5th Cir. 2024) ("judicial immunity is a question of law"); *Crooks v. Maynard*, 913 F.2d 699, 700 (9th Cir. 1990) ("judicial immunity is a question of law").

IV. ANALYSIS

The parties' briefing raises a variety of arguments on appeal that are either non-sequiturs, unpreserved, or both. For clarity, the district court based its decision granting the Clerk's motion for summary judgment solely on its determination that the Clerk had absolute, quasi-judicial immunity from suit in this matter. It expressly declined to consider the merits of Smith's arguments regarding Rule 32, the Public Records Act ("PRA"), and the Administrative Order. For the reasons explained below, the district court improperly dismissed Smith's claims on the basis that the Clerk was entitled to quasi-judicial immunity. As to the merits of this appeal, whether the Clerk overcharged Smith for his records request, we conclude that the 2017 Administrative Order the

Clerk relied on to charge the fees at issue in this case is inconsistent with the current provisions of Rule 32 and, based on the undisputed facts in the record, Smith is entitled to a refund of $330.67.

A. The district court erred in applying quasi-judicial immunity because the Clerk was sued in his official capacity.

Smith argues that the district court incorrectly determined that the Clerk had quasi-judicial immunity because that immunity only protects officials sued in their individual capacities. Since he sued the Clerk in his official capacity, Smith contends the doctrine does not apply here. We agree because quasi-judicial immunity is only a defense against personal liability.

For official capacity actions, the United States Supreme Court has explained that "the only immunities available to the defendant in an official-capacity action are those that the governmental entity possesses." *Hafer v. Melo*, 502 U.S. 21, 25 (1991) (citing *Kentucky v. Graham*, 473 U.S. 156, 167 (1985)). In contrast, personal immunity defenses are only available to officials named in their individual capacity. *Graham*, 473 U.S. at 166-67. Absolute judicial immunity is a personal defense to liability. *See id.* (citing *Pierson v. Ray*, 386 U.S. 547 (1967)). Quasi-judicial immunity is an extension of absolute judicial immunity to non-judges who perform judicial functions. *Shubert*, 166 Idaho at 466, 461 P.3d at 748. While this Court has not directly addressed whether quasi-judicial immunity is a personal immunity defense, other courts that have reached that question have concluded that it is solely a defense to personal liability. *E.g. VanHorn v. Oelschlager*, 502 F.3d 775, 778-79 (8th Cir. 2007) (collecting cases and explaining that "this court's precedent, Supreme Court precedent, and case law from our sister circuits make clear that absolute, quasi-judicial immunity is not available for defendants sued in their official capacities."). We agree and hold that quasi-judicial immunity is only available to quasi-judicial actors as a defense when they are sued in their personal capacities.

Here, although the district court's decision acknowledged that the Clerk had been sued in his official capacity, it erroneously concluded that the personal defense of quasi-judicial immunity applied. Since the Clerk is named in his official capacity, quasi-judicial immunity does not act as a bar to suit in this case. Accordingly, we hold that the district court erred in dismissing Smith's claims on that basis. As a result, we have no need to address Smith's other arguments concerning

the district court's order before proceeding directly to the merits of his claims that the Clerk overcharged him for his records request.

B. The 2017 Administrative Order is inconsistent with I.C.A.R. 32; Smith is entitled to a refund.

Smith argues that he was overcharged for his records request because Idaho Court Administrative Rule 32(k) incorporates Idaho Code section 74-102 by reference and, under that statute, fees for producing electronic records should not exceed the reasonable costs of labor incurred in responding to the request. Further, he contends that the Administrative Order, to the extent it sets fees in excess of Idaho Code section 74-102, is invalid because it conflicts with Rule 32(k). The Clerk does not mount a robust defense of the Administrative Order and simply states that the language of the Administrative Order on its face applies to both paper and electronic copies.

This Court uses nearly the same approach when interpreting court rules as it does for interpreting statutes. *Rose*, 173 Idaho at 656, 546 P.3d at 668 (citing *Valentine v. Valentine*, 169 Idaho 621, 627, 500 P.3d 514, 520 (2021)). The analysis starts with the plain language of the rule, giving words their "plain obvious and rational meaning." *Id.* (internal quotation marks omitted). Yet, unlike statutory interpretation, the constitutional separation of powers does not demand this Court adhere to the strict language of the statute regardless of the result. *Id.* (citing *State v. Montgomery*, 163 Idaho 40, 44, 408 P.3d 38, 42 (2017)). Instead, ambiguous court rules may be construed to reach a result that is in keeping with their purpose. *Id.*

Here, Rule 32 controls the disclosure of court records. As it relates to this case, subsection (k)(6) sets out the costs that may be charged for producing requested court records.[2] I.C.A.R. 32(k)(6). That subsection creates two methods for assessing fees: one for "paper copies" and another for "any other copying." *Id.* For paper copies, the cost "shall be determined by the clerk" and "shall not exceed the amount specified in I.C. § 31-3201." I.C.A.R. 32(k)(6). For "any other

[2] The Administrative Order cites I.C.A.R. 32(j)(6) as the ADJ's source of authority. At the time the ADJ issued the Administrative Order, the previous version of Rule 32(j)(6) described fees for court records requests. *See* I.C.A.R. 32 (2016). Rule 32 has since been amended, resulting in the fee provisions of Rule 32 being moved from subsection (j)(6) to subsection (k)(6). Notwithstanding, the language of present-day Rule 32(k)(6) is identical to what used to be Rule 32(j)(6).

copying," the cost must be set by either an order of this Court or an order of the local ADJ that is "in accordance with the provisions of I.C. [section] 74-102." *Id.*

The Court's Administrative Rule 32(k) incorporates Idaho Code section 74-102(10), which provides the permissible fee structure for responses to public records requests under Idaho's Public Records Act ("PRA"). That statute states, "no fee shall be charged for the first two (2) hours of labor in responding to a request submitted by a resident for public records, or for copying the first one hundred (100) pages of paper records that are requested by a resident." I.C. § 74-102(10)(a). For requests that involve more than 100 pages or more than two hours of labor, the PRA authorizes "fees to recover the actual labor and copying costs associated with" responding to the records request. I.C. § 74-102(10)(b). For Idaho residents, fees "may not exceed the actual cost to the agency of copying the record if another fee is not otherwise provided by law." I.C. § 74-102(10)(c).

The PRA further specifies fees for "providing a duplicate of a computer tape, computer disc, microfilm or similar or analogous record system." I.C. § 74-102(10)(d)(i). For residents, those fees may not exceed the sum of (i) the direct cost of copying the information in that electronic form; (ii) "the standard cost, if any, for selling the same information in the form of a publication"; and (iii) the cost of converting electronic information into another electronic form." *Id.*

Finally, the PRA requires that processing fees "for requests made by residents shall not exceed reasonable labor costs necessarily incurred in responding to a public records request." I.C. § 74-102(10)(e). It sets permissible labor costs "at the per hour pay rate of the lowest paid administrative staff employee or public official of the public agency who is necessary and qualified to process the request." *Id.*

Here, the fees set by the 2017 Administrative Order are invalid because they are not "in accordance with" Idaho Code section 74-102. The plain meaning of "accordance" is "agreement" or "conformity." *Accord*, MERRIAM-WEBSTER, https://www.merriam-webster.com/dictionary/accordance (last visited August 28, 2026). As such, Rule 32 requires orders setting costs for "all other copying" other than paper copying to be "in agreement with" or "in conformity with" Idaho Code section 74-102. Section 74-102(10) sets out a scheme for charging fees based on the actual costs of labor in responding to a request measured by the hourly rate of the lowest paid employee qualified to respond. The rates in the 2017 Administrative Order are not in agreement with this scheme, as they set a blanket $1.00 per-page fee for any paper or digital copying. The same is true for reproducing records on digital media. Section 74-102(10)

requires those costs to be the direct costs for copying that information whereas the Administrative Order sets a flat $10.00 fee for reproduction on any digital media. Consequently, the fees in the Administrative Order are invalid because they conflict with Rule 32's mandate that fees for "other copying" be "in accordance with" Idaho Code section 74-102(10).

Based on the undisputed evidence in the record, and using the appropriate fee calculations set out in Idaho Code section 74-102(10), we conclude that Smith was overcharged by $330.67. The undisputed facts show that the Clerk's Office spent 174 minutes responding to Smith's records request. However, no fee should have been charged for the first two hours, or 120 minutes, of labor, leaving 54 minutes (0.9 hours) of chargeable time. The lowest paid employee qualified to respond to Smith's request made $17.03 per hour. Multiplying $17.03 by 0.9 hours equals $15.327, which rounds to $15.33 in chargeable labor costs. Likewise, the direct cost of the USB drive used to supply Smith's records was $6.00. Adding these figures together, Smith should have been charged $21.33 for his records request. Instead, the Clerk charged Smith $352 for his request, resulting in an overcharge of $330.67. Given this overcharge, and pursuant to our supervisory control of Idaho's judicial branch, we direct the Clerk to refund Smith $330.67. *See Crooks v. Maynard*, 112 Idaho 312, 315-16, 732 P.2d 281, 284-85 (1987) (holding that clerks of the district courts "fall[] within this supervisory control of the Supreme Court"). As the prevailing party, Smith is entitled to costs on appeal per I.A.R. 40(a).

IV. CONCLUSION

The district court's decision granting summary judgment in the Clerk's favor is reversed. The Clerk is directed to refund Smith $330.67.

Justices BRODY, MOELLER, ZAHN, and MEYER concur.