

The Constitution of Idaho was adopted August 6, 1889, ratified by the people November 1889, and approved by Congress July 3, 1890. It is composed of twenty-one articles and has been amended over one hundred times. Despite numerous amendments, the Idaho Constitution has never undergone a major revision and remains in essentially the same form as it was created.

## **FINDING THE TEXT OF AN IDAHO CONSTITUTION PROVISION**

The text of the Idaho Constitution is located in the first volume of the *Idaho Code*. There are two basic approaches that can be used to find pertinent articles and sections of the Idaho Constitution.

**Index Method.** There are two indexes to the Idaho Constitution contained in the *Idaho Code*:

1. The Idaho Constitution is indexed in the General Index to the *Idaho Code*. It is published annually.
2. Volume 1 of the *Idaho Code* has an index to the Idaho Constitution. It is located at the end of the text of the Constitution.

**Topic/Outline Approach.** There is a list of Articles at the beginning of the Idaho Constitution. You can use this list to find the appropriate article. Then check the "Table of Contents" at the beginning of the article to find the section.

The text of the Idaho Constitution is available on the Idaho State Website ([www.legislature.idaho.gov](http://www.legislature.idaho.gov)) and can be searched by Keyword.

## **FINDING CASES INTERPRETING THE IDAHO CONSTITUTION**

1. The annotations following a constitutional provision in the *Idaho Code* list cases interpreting the provision.
2. The *Idaho Digest* contains citations to constitutional provisions construed by the court.
3. *Idaho Shepard's Citations* has a section listing cases that cite provisions of the Idaho Constitution.

## FINDING ORIGINAL AND SECONDARY HISTORICAL MATERIALS

1. The "Compiler's Notes" which follow the provisions of the Idaho Code reference prior versions.
2. *Proceedings and Debates of the Constitutional Convention of Idaho, 1889*. This is a transcript of the daily proceedings and debates that led to the creation of the Idaho Constitution. Reserve KFI401.1889 2 vol.
3. Blanchard, Tom, *A Biographical Index to the Proceeding of the Idaho Constitutional Convention of 1889* contains a daily log of the subjects, roll call votes, session chairs and an index to the debaters. Reserve KFI401.A29
4. Colson, Dennis, *Idaho's Constitution: the Tie That Binds* describes and interprets the proceedings and debates of the Constitutional Convention. Reserve KFI401.1890.A6.C65 1991
5. Crowley, Donald, *the Idaho State Constitution, a Reference Guide*. Reserve KFI401.1890.A6.C76 1994
6. Hall, Kermit, *Comprehensive Bibliography of American Constitutional and Legal History*. Reference KF4541.H43.
7. Swindler, William, *Sources and Documents of United States Constitutions*. Collects primary materials on state constitutions with bibliographies. KF4530.S94.
8. The *Idaho Law Review* often contains articles on the Idaho Constitution.

## FINDING SIMILAR PROVISIONS IN OTHER STATE CONSTITUTIONS

To compare provisions in the Idaho Constitution with provisions in other state constitutions, the following sources may be helpful:

*Idaho Code*. Comparable provisions may be listed in the notes following the text of the Idaho article or section.

*Constitutions of the United States: National and State* contains the current text of the constitutions of all fifty states. Reference KF4530.C6

*Index Digest of the State Constitutions* indexes the earlier editions of the Constitutions of the States. It has not been updated since 1971 but is still useful for historical research. Several subject indexes including a "Fundamental Liberties and Rights" have been published in recent years. Shelved at KF4530.C63

*Subject Compilations of State Laws.* This bibliographic series covers compilations beginning in the 1960s. Each volume provides citations to law review articles, books, periodicals, court opinions, and websites that have compiled state laws on various subjects. Reference KF1.F67

### **Finding Judicial Interpretations of Similar Provisions**

An annotated version of each state's constitution is found in the annotated code for the state.

The Shepard's volume for each state collects cases citing the state constitution.

Lexis and Westlaw can be searched for references to provisions using similar language. However, Lexis and Westlaw are subscription only services requiring a password for access.