



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

BOISE 83720

JIM JONES  
ATTORNEY GENERAL

TELEPHONE  
(208) 334-2400

December 17, 1986

Dale G. Haile  
Coroner, Canyon County  
Canyon County Courthouse  
1115 Albany  
Caldwell, ID 83605

THIS CORRESPONDENCE IS A LEGAL GUIDELINE OF THE  
ATTORNEY GENERAL SUBMITTED FOR YOUR GUIDANCE

Re: Jurisdiction of Coroner

Dear Mr. Haile:

In your letter to the Attorney General of November 25, 1986, you pose a factual situation where an incident occurs in one county which results in injury to an individual who is then transported into your county for medical treatment and subsequently dies as the result of the incident. The resulting question then is which county coroner has jurisdiction to determine the cause of death and sign the death certificate; the coroner in the county where the incident occurred, or the coroner in the county where the death occurred?

Idaho Code § 39-260(b) requires a coroner to certify to the cause of death "[w]hen no physician was in attendance during the last illness of the deceased; or . . . when circumstances suggest that the death occurred as a result of other than natural causes." A coroner is then obligated to refer for investigation to local law enforcement, cases of deaths which are the result of violence, or occur under suspicious or unknown circumstances or when a physician was not in attendance and the cause of death cannot be certified to by a physician, Idaho Code § 19-4301.

Section 19-4301 provides the jurisdictional parameters for coroners in cases of violent or unknown deaths. The coroner of the county in which a death occurs should refer investigations into the causes of death to the coroner and law enforcement officers of the county in which the incident causing death

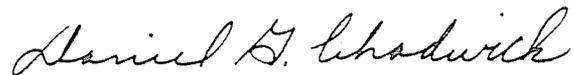
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occurred. It will then be up to the coroner in the county where the incident causing death occurred to conduct an inquest, request an autopsy, or otherwise take steps to determine the cause of death. This coroner must certify as to the cause of death as prescribed by § 39-260(b). This comports with the general rule of law governing the jurisdiction of coroners, 18 C.J.S. § 16.

Therefore, the procedure which you use in aiding the coroner of the county where the incident causing death occurs, but deferring to him or her the certification as to the exact cause of death, appears to be the proper course of conduct pursuant to § 19-4301. Obviously, if the incident causing death is unknown, then you may assume jurisdiction and certify as to the cause of death. Idaho Code § 19-4301. That provision which you cite in § 39-260 and which begins, "When death occurs in a moving conveyance . . ." applies only to those situations where a body is brought into Idaho from some other state.

If our office can be of additional assistance, please do not hesitate to let us know.

Sincerely,



DANIEL G. CHADWICK  
Deputy Attorney General  
Intergovernmental Affairs

DGC/mkf

cc: Marc Haws