I.R.C.P. 5.b. Service - How Made.

Idaho Rules of Civil Procedure Rule 5(b). Service - How Made.

Whenever under these rules service is required or permitted to be made upon a party represented by an attorney the service shall be made upon the attorney unless service upon the party is ordered by the court. Service upon the attorney or upon a party shall be made by:

(A) handing it to the attorney or the party;

(B) leaving it:

(i) at the attorney's office with the person in charge or, if no one is in charge, in a conspicuous place in the office; or

(ii) if the office is closed or the person to be served has no office, at the person's dwelling or usual place of abode with someone over the age of eighteen years who resides there;

(C) mailing it to the person's last known address in which event service is complete upon mailing;

(D) leaving it with the court clerk if the person has no known address;

(E) sending it by electronic means if the person consented in writing in which event service is complete upon transmission, but is not effective if the serving party learns that it did not reach the person to be served;

(F) transmitting the copy by a facsimile machine process although this rule shall not require a facsimile machine to be maintained in the office of an attorney; or

(F) delivering it by any other means that the person consented to in writing in which event service is complete when the person making service delivers it to the agency designated to make delivery.

(Amended November 15, 1989, effective January 1, 1990; amended January 30, 2001, effective July 1, 2001; amended April 22, 2004, effective July 1, 2004; amended March 18, 2011, effective July 1, 2011.)

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