I.R.C.P. 4.b. Summons - Form.

Idaho Rules of Civil Procedure Rule 4(b). Summons - Form.

The summons shall be signed by the clerk of the district court, be under the seal of the court, contain the name of the court, the assigned number of the case, the names of the parties, the county in which the action is brought, the mailing address, physical address (if different) and phone number of the district court clerkand state the name and address of the plaintiff's attorney, if any, otherwise, the plaintiff's address.

(1) Eviction Proceedings. - In an action exclusively for eviction where an expedited proceeding is contemplated under I.C. Section 6-310 the summons shall be in substantially the following form:

Click here [1] for form.

(2) Other Civil Proceedings. - In other civil proceedings the summons shall contain the time within which these rules require the defendant to file a written response or written motion in defense to the complaint, and shall notify the defendant that in case of the defendant's failure to do so judgment by default will be rendered against the defendant for the relief demanded in the complaint. The summons shall be in substantially the following form:

Click here [2] for form.

(Adopted February 2, 1993, effective July 1, 1993; amended February 26, 1997,effective July 1, 1997.)

(3) Publication. Where service is to be made by publication, the Summons to be published shall be substantially as follows:

SUMMONS

To: [Defendant's Name]

You have been sued by [Plaintiff's Name], the Plaintiff, in the District Court in and for [Name of County] County, Idaho, Case No.

[Case No.].

The nature of the claim against you is [nature of claim].

Any time after 20 days following the last publication of this summons, the court may enter a judgment against you without further notice, unless prior to that time you have filed a written response in the proper form, including the Case No., and paid any required filing fee to the Clerk of the Court at [mailing address, physical address (if different) and telephone number of the clerk] and served a copy of your response on the Plaintiff's attorney at [name, address, and phone number of Plaintiff's attorney].

A copy of the Summons and Complaint can be obtained by contacting either the Clerk of the Court or the attorney for Plaintiff. If you wish legal assistance, you should immediately retain an attorney to advise you in this matter.

Dated: _____

[Name of County] County District Court

By _____, Deputy Clerk

(Amended March 9, 1999, effective July 1, 1999.)

Source URL: http://isc.idaho.gov/ircp4b

Links:
[1] http://isc.idaho.gov/../rules/forms/IRCP_4b-1_Form.doc
[2] http://isc.idaho.gov/../rules/forms/IRCP_4b-2_Form.doc