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IRFLP 106 Consolidation of Related Family Cases

Idaho Rules of Family Law Procedure Rule 106. Coordination of Related Family Cases.

(a) Related Family Cases.

(1) A case is a related family case when:

(A) it involves any of the same parties, child, or issues and is pending at the time the party files or reopens a family law action;

(B) it affects the court's jurisdiction to proceed;

(C) an order in a related case may conflict with an order on the same issues in the new case; or

(D) an order may conflict with an order in the earlier litigation.

(2) Any related family cases should be identified on the Family Law Case Information Sheet required under Rule 201.

(A) Each party has a continuing duty to inform the court of any proceedings in this or any other state that could affect the current proceeding.

(b) Assignment of One Judge.

(1) All related family cases and civil protection order actions must be handled before one judge, unless impractical.



(2) If it is impractical for one judge to handle all related family cases and civil protection order actions, the judges assigned to hear the related cases involving the same family or child may confer for the purpose of case management and coordination of the case. In addition to the issues that may be considered, if actions before the court involve a common question of law or fact, the court may:

(A) consolidate as many issues as is practical to be heard by one judge;

(B) coordinate the progress of the remaining issues to facilitate the resolution of the pending actions and to avoid inconsistent rulings;

(C) determine the access of the parties to court records if a related case is confidential or exempt from disclosure pursuant to Idaho Code or other court rules; and

(D) issue any other orders to avoid unnecessary cost and delay.

(c) **Judicial Access and Review of Related Family Cases.**

(1) **In General.** Notwithstanding provisions in I.C.A.R. 32, a judge hearing a family law action may access and review the files of any related family case, either pending or closed, to aid in carrying out his adjudicative responsibilities. Authorized court personnel may also access and review the files of any related family case.

(2) **Nondisclosure of Confidential Information.** A judge or authorized court personnel must not disclose confidential information or documents contained in related family case files except in accordance with applicable state and federal confidentiality laws and rules.

(3) **Notice of Court Personnel.** Authorized court personnel may advise the court about the existence of related legal proceedings, the legal issues involved, and administrative information about such case.

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