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IRFLP 108 Joint Hearings and Consolidation

Idaho Rules of Family Law Procedure Rule 108. Joint Hearings and Consolidation.

(a) Joint Hearings.

(1) If actions before the court involve a common question of law or fact, the court may:

(A) join a hearing or trial of any matters in issue in the related family cases and civil protection order actions;

(i) For joint or coordinated hearings, notice to all parties and to all attorneys of record in each related case must be provided by the court, the moving party, or other party as ordered by the court, regardless of whether or not the party providing notice is a party in every case number that will be called for hearing.

(B) consolidate the actions; and

(C) issue any other orders to avoid unnecessary cost or delay.

(b) Consolidation into Lowest Case Number.

(1) Except as set forth in subsection (c), motions to consolidate actions in the same county must be presented to and ruled on by the judge to whom the lowest numbered case or first filed case has been assigned among those matters sought to be consolidated. Notice must be given to all parties in each action involved and a copy filed in each case involved.

(2) In the event the motion is granted, the order must specify the case number under which all future papers must be filed, which will be the lowest of the case numbers involved. Thereafter, that case number will be used exclusively for all papers filed only in the designated case file. If a motion to



consolidate is granted, all further action with regard to the consolidated cases must be heard by the judge who is assigned the lowest numbered case or first filed cases involved.

(c) **Consolidation of Child Support and Custody Cases.**

(1) If a family law action involving custody is filed in the proper venue, and there is a previous case involving only child support in the same county or a different county, a motion to consolidate may be filed and ruled upon by the judge assigned to preside over the action involving custody.

(2) In the event the motion is granted, the order must specify that the actions are consolidated under the case number assigned to the action involving custody and all future papers will be filed under that case number. All further action with regard to the consolidated cases must be heard by the judge who is assigned the action involving custody.

(Adopted March 29, 2021, effective July 1, 2021.)

Source URL: <https://isc.idaho.gov/irflp108>