

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO IDAHO)
RULES OF CIVIL PROCEDURE (I.R.C.P.)) ORDER

The Court having received a recommendation from the Civil Rules Advisory Committee to amend the Idaho Civil Rules of Procedure, and the Court being fully informed;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Idaho Rules of Civil Procedure, be and hereby are amended as follows:

1. That Rule 3 be, and the same is hereby, amended as follows:

Rule 3. Commencement of action.

(d) Case Information Sheet.

(1) Requirement for all parties. With the exception of the case types listed in subsection (2) of this rule, all parties must file a completed Supreme Court approved case information sheet with that party's first appearance in the case. This case information sheet is exempt from disclosure according to Rule 32, Idaho Court Administrative Rules.

(2) Requirement for initiating party only. In the following actions, a completed Supreme Court approved case information sheet must be filed with the complaint or petition by the initiating party:

- (A) Guardianship,
- (B) Conservatorship,
- (C) Adoption,
- (D) Termination of parental rights,
- (E) Involuntary commitment, and
- (F) child protection act proceedings.

This case information sheet is exempt from disclosure according to Rule 32, Idaho Court Administrative Rules

2. That Rule 15 be, and the same is hereby, amended as follows:

Rule 15. Amended and Supplemental Pleadings.

(a) Amendments Before Trial.

(1) Amending as a Matter of Right. ~~Course.~~ A party may amend its pleading once as a matter of right ~~course~~ within:

(A) 21 days after serving it, or
(B) if the pleading is one to which a responsive pleading is required, before the party is served with the responsive pleading or 21 days after service of a responsive pleading or 21 days after service of a motion under Rule 12(b), (e), or (f), whichever is earlier.

3. That Rule 41(e) be, and the same is hereby, amended as follows:

Rule 41(e).

(e) **Dismissal of inactive cases.** Any action, appeal or proceeding, except for guardianships, conservatorships, and probate proceedings, in which no action has been taken or in which the summons has not been issued and served, for a period of ~~6 months~~ 90 days must ~~may~~ be dismissed unless there is a showing of good cause for retention.

(1) Dismissal pursuant to this rule is with prejudice in the case of appeals and without prejudice as to all other matters.

(2) At least 14 days prior to such dismissal, the clerk must give notice of the pending dismissal to all parties or their attorneys of record

IT IS FURTHER ORDERED, that this order and these amendments shall be effective July 1, 2017.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Idaho Rules of Civil Procedure.

IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of The Advocate.

DATED this 5 day of May, 2017.

By Order of the Supreme Court

ATTEST:

Clerk

Stephen Kyrer

RB
I, Stephen W. Kenyon, Clerk of the Supreme Court
do hereby certify that the
above is a true and correct copy of the
entered in the above entitled cause and now on
record in my office.

WITNESS my hand and the Seal of this Court
STEPHEN W. KENYON

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Clerk