

SUMMARY STATEMENT

Cazier Revocable Trust v. Cazier, Docket No. 46852

The Idaho Supreme Court affirmed the district court's grant of summary judgment for the Trust. In addition, the Court held the Idaho Rules of Evidence do not apply to documents filed in support of an award of attorney fees or costs that contain statements regarding reasonableness, necessity, mode of billing and/or amount of costs. In addition, the Court affirmed the district court's evidentiary rulings in part, holding the statements at issue went beyond the limited subjects listed above, were subject to the Idaho Rules of Evidence, and were inadmissible hearsay. The Court also held the district court abused its discretion by failing to issue written findings for its attorney fee award as required by I.R.C.P. 54(e)(2). As a result, the Court vacated the district court's award and remanded for further proceedings. The Court awarded partial attorney fees and costs on appeal to the Trust under Idaho Code section 12-121.