

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO THE IDAHO
RULES OF CIVIL PROCEDURE

)
)
)

ORDER

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

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

Rule 54. Judgments; Costs.

(b) Partial judgment upon multiple claims or involving multiple parties.

(2) **Jurisdiction if appealed after Rule 54(b) certificate.** If a Rule 54(b) Certificate is issued on a partial judgment and an appeal is filed, the trial court ~~loses all jurisdiction over the entire action~~ retains jurisdiction to take any actions and rule upon any matters unaffected by the Rule 54(b) judgment, including conducting a trial of the issues remaining in the case, except as provided in Rules 13 and 13.4 of the Idaho Appellate Rules.

Rule 83. Appeals from decisions of magistrates.

(e) Stay during appeal — Powers of magistrate.

(1) **Stay of Proceedings.** The filing of an appeal to the district court automatically stays the proceeding and execution of any judgment or order appealed from by the appellant for a period of 14 days; provided, however, that there shall be no automatic stay of any civil protection order issued pursuant to Idaho Code Sections 18-7907 or 39-6306. Any further stay of proceedings and execution of judgments covered by this rule must be by order of the presiding magistrate court or the district court.

IT IS FURTHER ORDERED, that this order and these amendments shall be effective July 1, 2021.

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.

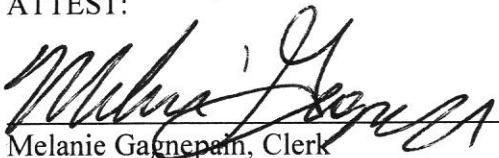
IT IS FURTHER ORDERED, that the Clerk of the Court shall cause notice of this Order to be published in one issue of *The Advocate*.

DATED this 28th day of April, 2021.


By Order of the Supreme Court


G. Richard Bevan, Chief Justice

ATTEST:


Melanie Gagnepain, Clerk

I, Melanie Gagnepain, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
Certify that the above is a true and correct copy of the
Order Amendments entered in the above entitled
cause and now on record in my office. WITNESS my
hand and the Seal of this Court April 28, 2021
Melanie Gagnepain, Clerk

By:  Deputy