

In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS TO THE)
IDAHO RULES OF CIVIL) **ORDER**
PROCEDURE)
_____)

The Court, having received a recommendation to amend the Civil Filing Fee Schedule by deleting one case type and adding two additional case types to aid in assignment of cases, and the Court being fully informed;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Civil Filing Fee Schedule, APPENDIX A to the Idaho Rules of civil Procedure, is amended as follows:

1. That Civil Filing Fee Schedule Section A, found in **APPENDIX A**, is hereby amended as follows:

A. All initial case filings in Magistrate Division of any type not listed in categories B, C, D, G and H(2):

1. Adoptions
2. Adoption and Termination of parental rights
3. Termination of parental rights
4. Personal injury or other claims (\$10,000 or less)
5. Petition for formal probate
6. Application for informal probate
7. Name change
8. ~~Permission to marry~~ Relief from interlock device
9. Child Support / Custody (unless filed by DHW)
10. Habeas by prisoners
11. Paternity action
12. Unlawful detainer / Eviction
13. Defacto custodian
14. Relief from firearm disability
15. Legal separation
 - a. with minor children
 - b. without minor children
16. Surrogacy/Gestational Carrier

2. That Civil Filing Fee Schedule Section H, found in **APPENDIX A**, is hereby amended as follows:

H. Case filings with no fee

1. In District Court

- a. Petition for sterilization
- b. Judicial consent for abortion petitions
- c. Post-conviction act proceedings*
- d. Stipulation for entry of judgment*
- e. Court initiated contempt*

2. In Magistrate Division

- a. Cases brought under Ch. 3, Title 66, I.C., for commitment of mentally ill persons
- b. Demand for bond before personal representative is appointed.
- c. Petition to compromise minor's claim
- d. Petition for civil protection order
 - (i) Petition for civil protection order or to enforce foreign CPO pursuant to I.C. 39-6304 or 39-6306A (domestic violence)
 - (ii) Petition for civil protection order pursuant to I.C. 18-7907 (malicious harassment, stalking, and telephone harassment)
- e. Post-conviction act proceedings*
- f. Stipulation for entry of judgment after initial case filing or reopening fee paid*
- g. BAC license suspension
- h. Child support proceedings filed by DHW
- i. Fugitive warrants

- j. Court initiated contempt*
- k. Child protective cases
- l. Proceeding to suspend a license for non-payment of child support
- m. Petition for review of out of home placement
- n. Cases brought under Ch. 4, Title 66, I.C., for commitment of developmentally disabled persons

- 3. Registration of trusts and renunciations
- 4. Filing of a custody decree from another state

*Whether filing is in district court or magistrate division depends upon individual case.

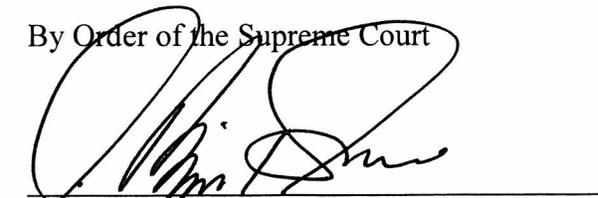
IT IS FURTHER ORDERED, that this order and these amendments shall be effective July 1, 2021.

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 25th day of June, 2021.

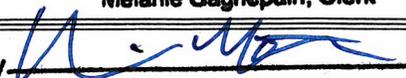
By Order of the Supreme Court



G. Richard Bevan, Chief Justice

ATTEST: 
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 entered in the above entitled cause and now on record in my office. WITNESS my hand and the Seal of this Court 6-29-21
Melanie Gagnepain, Clerk

By  Deputy