

In the Supreme Court of the State of Idaho

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED that APPENDIX A to the Idaho Rules of Civil Procedure, as adopted by order dated March 1, 2016, be and hereby is amended as follows:

1. That Filing Fee Schedule Sections A and B.3, found in APPENDIX A be, and the same are hereby, amended as follows:

APPENDIX "A"

DIVISION FILING FEE SCHEDULE - DISTRICT COURT AND MAGISTRATE

Fee Category	Idaho Code Fund	Judges Retire. Fund	County Facility Fund	State	State/Guardship Project Fund	County Dist. Ct. Fund	Court Tech. Fund	Senior Mag. Judges Fund	Total
A. All initial civil case filings in District Court of any type not listed in categories E, F and H(1).	10.00	26.00	10.00	17.00		17.00	135.00	6.00	221.00
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 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. <u>Legal separation</u>	10.00	26.00	10.00	17.00		17.00	80.00	6.00	166.00
B. 1. Divorce State portion includes additional \$20 displaced homemaker fund and additional \$20 domestic violence fund district court fund includes \$5.00 taken from the State General Fund fee, which shall be separately identified and deposited in the District Court Fund, for establishing a uniform system of qualifying counselors in domestic violence cases. I.C. § 31-3201A(q) a. With minor children b. Without minor children	10.00	26.00	10.00	52.00		23.00	80.00	6.00	207.00
2. Petition or stipulation to reopen or modify divorce a. With minor children b. Without minor children	10.00	26.00	10.00	15.00		17.00	70.00	6.00	154.00
3. Amended complaint to convert an action that was not one for divorce (e.g. separate maintenance legal separation) into an action for divorce (\$1.00 for court clerk fees I.C. § 39-266 & \$20 for the displaced homemaker account I.C. § 39-5009 & \$20 domestic violence project, I.C. § 39-5213) a. With minor children b. Without minor children				41.00					41.00
C. Small claims		26.00	10.00			7.00	20.00	6.00	69.00

IT IS FURTHER ORDERED, that this order and these amendments shall be effective immediately.

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 15 day of August, 2016.

By Order of the Supreme Court


Daniel Eismann, Vice Chief Justice

ATTEST: Stephen Kenyon
Clerk

I, Stephen W. Kenyon, Clerk of the Supreme Court 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 8/15/16

Stephen Kenyon Clerk

By: Dina D. Thomas Deputy