I.R.C.P. 81.d. Appearance and Witnesses at Small Claim Proceeding.

Idaho Rules of Civil Procedure Rule 81(d). Appearance and Witnesses at Small Claim Proceeding.

(1) Appearance and Attorneys. Any party in a small claims action may appear in person or by an authorized non-attorney employee. No attorney can appear with or for a party in any hearing on a small claim action; provided, an attorney may appear in any proceeding after entry of a small claims judgment relating to the execution of the judgment, including any proceeding for the examination of the judgment debtor in aid of execution of the judgment. Any attorney at law or law firm may be a party to a small claims proceeding and may prosecute any claim the attorney or law firm may have, except any claim obtained by assignment, and may appear before the court as any other plaintiff or defendant in the case.

(Amended March 29, 2001, effective July 1, 2001.)

(2) Witnesses. Any party to a small claim proceeding may bring to the hearing witnesses who shall be sworn and may testify on behalf of either party to the small claim. Any party to a small claim may also subpoena witnesses to the small claim proceeding by a subpoena issued and served in the manner provided by the I.R.C.P., but all costs of service of the subpoena and all witnesses costs shall be paid for by the party issuing the subpoena to the witness and shall not be taxed as costs in the small claim proceeding.

(Adopted June 15, 1987, effective November 1, 1987; amended March 30, 1988, effective July 1, 1988; amended March 27, 1989, effective July 1, 1989.)

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