



## **I.R.C.P. 66. Sureties on Bond**

### **Idaho Rules of Civil Procedure Rule 66. Sureties on Bond.**

**(a) Form of Bond and Justification of Sureties.** If a bond or undertaking is required to be given by statute or these rules, the general form and the justification of the sureties must be in accordance with chapter 6 of title 12, Idaho Code.

**(b) Attorney Not Acceptable as Surety.** No attorney will be accepted as surety on any bond or undertaking furnished in any action or proceeding in which the attorney appears as an attorney of record, or is a member or associate of a firm or corporation that appears as the attorneys of record.

**(c) Proceedings Against a Surety.** Whenever these rules require or allow a party to give security, and security is given through a bond or other undertaking with one or more sureties, each surety submits to the court's jurisdiction and irrevocably appoints the court clerk as its agent for receiving service of any papers that affect its liability on the bond or undertaking. The surety's liability may be enforced on motion without an independent action. The motion and any notice that the court orders may be served on the court clerk, who must promptly mail a copy of each to every surety whose address is known.

[\(Adopted March 1, 2016. effective July 1, 2016 \[1\].\)](#)

**Source URL:** <https://isc.idaho.gov/ircp66-new>

#### **Links**

[1] <https://isc.idaho.gov/rules/IRCP/03012016-Adoption-Newly-Formatted.pdf>