



## **I.R.C.P. 69. Execution**

### **Idaho Rules of Civil Procedure Rule 69. Execution.**

**(a) In General.** An appealable final judgment, or a partial judgment if certified as final under Rule 54(b), for the payment of money, or a court order for the payment of money, is enforced by a writ of execution unless the court directs otherwise. A writ of execution must not be issued for an amount other than the face amount of the judgment, and costs and attorney fees approved by the court, without an affidavit of the party or the party's attorney verifying the computation of the amount due under the judgment. The clerk may rely upon an affidavit in issuing a writ of execution. After service of the writ of execution, the sheriff must make a return to the clerk of the court and indicate the amount of the service fees and whether they were collected by the sheriff. Any balance of the service fees of the writ of execution not collected by the sheriff must be added to the judgment by the clerk as provided in Rule 54(d).

**(b) Procedure on Execution.** The procedure on execution, in proceedings supplementary to and in aid of judgment, and in proceedings on and in aid of execution must be in accordance with the statutes of the state of Idaho and as provided in these rules.

**(c) Obtaining Discovery.** In aid of the judgment or execution, the judgment creditor or successor in interest whose interest appears of record may obtain discovery from any person, including the judgment debtor, as provided in these rules and may examine any person, including the judgment debtor, in the manner provided by these rules.

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

**Source URL:** <https://isc.idaho.gov/ircp69-new>

#### **Links**

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