



## **I.R.C.P. 70. Enforcing a Judgment for a Specific Act**

### **Idaho Rules of Civil Procedure Rule 70. Enforcing a Judgment for a Specific Act.**

**(a) Party's Failure to Act; Ordering Another to Act.** If a judgment requires a party to convey land, to deliver a deed or other document, or to perform any other specific act and the party fails to comply within the time specified, the court may order the act to be done at the disobedient party's expense by another person appointed by the court. When done, the act has the same effect as if done by the party.

**(b) Vesting Title.** If the real or personal property is within the district, the court, instead of ordering a conveyance, may enter a judgment divesting any party's title and vesting it in others. That judgment has the effect of a legally executed conveyance.

**(c) Obtaining a Writ of Attachment or Sequestration.** On application by a party entitled to performance of an act, the clerk must issue a writ of attachment or sequestration against the disobedient party's property to compel obedience.

**(d) Obtaining a Writ of Execution or Assistance.** On application by a party who obtains a judgment or order for possession, the clerk must issue a writ of execution or assistance.

**(e) Motion for Contempt.** Failure to comply with a judgment may also be the basis of a motion for contempt.

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

**Source URL:** <https://isc.idaho.gov/ircp70-new>

#### **Links**

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