



## **I.R.C.P. 2.3. Serving Notice of an Order or Judgment**

### **Idaho Rules of Civil Procedure Rule 2.3. Serving Notice of an Order or Judgment.**

**(a) Proposed Order or Judgment.** The prevailing party, or other party designated by the court to draft a proposed order or judgment, must serve a copy of the proposed order or judgment on each party and must provide to the clerk sufficient copies for service upon all parties, together with envelopes addressed to each party with sufficient postage attached, unless otherwise ordered by the court.

**(b) Service of Entered Order or Judgment.** Immediately after entering an order or judgment, the clerk of the district court, or magistrates division, must serve a copy of it on every party, with the clerk's filing stamp showing the date of filing. The order or judgment may be served by mailing, emailing, or delivering it to the attorney of record for each party, or if the party is not represented by an attorney, by mailing to the party at the address designated by the prevailing party as most likely to give notice to that party. The clerk must make a note in the court records of the mailing of the entered order. Mailing is sufficient notice for all purposes for which notice of the entry of an order is required by these rules.

**(c) Time to Appeal Not Affected by Lack of Notice.** Lack of notice of entry of an order or judgment does not affect the time to appeal or to file a post-judgment motion, or relieve or authorize the court to relieve a party for failure to appeal or file a post-trial motion within the time allowed, except where there is no showing of mailing by the clerk in the court records and the affected party had no actual notice.

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

**Source URL:** <https://isc.idaho.gov/ircp2.3-new>

#### **Links**

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