



I.R.S.C.A. 10. Dismissal for Lack of Service or Inactivity

Idaho Rules for Small Claims Actions Rule 10. Dismissal for Lack of Service or Inactivity.

Dismissal pursuant to this rule is without prejudice. At least 14 days prior to dismissal, the clerk must give notice of the pending dismissal to all parties who have appeared.

(a) For Lack of Service. If the summons has not been issued and served for a period of 30 days, the action may be dismissed. The court may reopen the case without additional filing fees if the request is made within six months from the date the original claim was filed and it appears that the defendant can be served.

(b) For Inactivity. In the absence of a showing of good cause for retention, any action in which no action has been taken for a period of 6 months must be dismissed.

(Source URL: <https://isc.idaho.gov/rsc10-new>)
(Adopted March 1, 2016, effective July 1, 2016.)