



## **I.R.C.P. 4.1. General or Special Appearance**

### **Idaho Rules of Civil Procedure Rule 4.1. General or Special Appearance.**

**(a) General Appearance.** The voluntary appearance of a party or service of any pleading by the party, except as provided in subsection (b) of this Rule, constitutes voluntary submission to the personal jurisdiction of the court.

**(b) Motion or Special Appearance to Contest Personal Jurisdiction.** The following do not constitute a voluntary appearance by a party under this Rule:

- (1) a motion under Rule 12(b)(2), (4) or (5), whether raised before or after judgment;
- (2) a motion under Rule 40(a) or (b);
- (3) a motion for an extension of time to answer or otherwise appear;
- (4) the joinder of other defenses in a motion under Rule 12(b)(2), (4) or (5);
- (5) a response to discovery or to a motion filed by another party after a party files a motion under Rule 12(b)(2), (4) or (5), action taken by that party in responding to discovery or to a motion filed by another party;
- (6) pleading further and defending an action by a party whose motion under Rule 12(b)(2), (4), or (5) is denied; or
- (7) filing a document entitled “special appearance,” which does not seek relief but merely provides notice that the party is entering a special appearance to contest personal jurisdiction, if a motion under Rule 12(b)(2), (4), or (5) is filed within fourteen (14) days after filing the special appearance, or within such later time as the court permits.



([Adopted March 1, 2016, effective July 1, 2016](#) [1]; [amended September 9, 2016, effective September 9, 2016](#) [2].)

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

[2] <https://isc.idaho.gov/..rules/IRCP/09092016-Amendments.pdf>