



Idaho Rules of Civil Procedure I.R.C.P.

Idaho Rules of Civil Procedure (I.R.C.P.)

Note: The I.R.C.P. rules were rescinded by [Court Order \[1\]](#) and replaced entirely with the rules listed below, effective July, 1, 2016.

[Cross-Reference Table - New to Old \[2\]](#) | [Cross-Reference Table - Old to New \[3\]](#)

[Appendix A: Fee Schedule \[4\]](#) (updated July 12, 2024) | [Appendix B: Forms](#)

*REQUIRED BEGINNING **JULY 1, 2017** PURSUANT TO RULE 3(d)(1):*

[Civil Case Information Sheet \[5\]](#)

REQUIRED PURSUANT TO RULE 3(d)(2):

[Case Information Sheet \[6\]](#)

_ [6]Guardianship or Adoption Case Information Sheet [PDF \[7\]](#) / [RTE \[8\]](#)

Title I - General Administration

[Rule 1. Scope of Rules; District Court Rules \[9\]](#)

- (a) Title.
- (b) Scope of Rules.
- (c) District Court Rules.

[Rule 1.1. Jurisdiction and Venue Unaffected \[10\]](#)

[Rule 1.2. Jurisdictional Amounts for Assignment to Magistrates; Counterclaims and Cross-Claims \[11\]](#)

- (a) Determining Jurisdictional Amount.
- (b) Counterclaim or Cross-Claim Exceeding Magistrate Jurisdiction.



[Rule 1.3. Objection to Assignment to Magistrates](#) [12]

[Rule 2. Form of Documents; Caption; Name of Parties; Language; Abbreviation; and Numbers](#) [13]

- (a) Form, Caption and Name - Generally.
- (b) Language of Pleadings.
- (c) Abbreviations and Numbers.

[Rule 2.1. Electronic Signatures](#) [14]

[Rule 2.2. Computing and Extending Time](#) [15]

- (a) Computing Time.
- (b) Extending Time.
- (c) Additional Time After Service by Mail.

[Rule 2.3. Serving Notice of an Order or Judgment](#) [16]

- (a) Proposed Order or Judgment.
- (b) Service of Entered Order or Judgment.
- (c) Time to Appeal Not Affected by Lack of Notice.

[Rule 2.4. Setting Hearings by Court](#) [17]

[Rule 2.5. Stipulations Not Binding on Court - Continuance of Trial or Hearing](#) [18]

[Rule 2.6. Privacy Protection for Filings Made with the Court](#) [19]

- (a) Responsibility of Filer.
- (b) Personal Data Identifiers to be Redacted.
- (c) Exceptions to Redaction Requirement.



- (d) Options When Personal Data Identifiers are Necessary.
- (e) Unredacted document inadvertently submitted.
- (f) Parties to Use Caution.
- (g) Sanctions.
- (h) Privacy Protections in Orders, Judgments, and Decrees.

[Rule 2.7. Declarations](#) [20]

[Rule 2.8. Unsworn Foreign Declarations](#) [21]

- (a) Definitions.
- (b) Applicability.
- (c) Validity of Unsworn Declaration.
- (d) Required Medium.
- (e) Form of Unsworn Declaration.
- (f) Uniformity of Application and Construction.
- (g) Relation to Electronic Signatures in Global and National Commerce Act.

[Rule 2.9. Lost Papers](#) [22]

[Rule 2.10. Reclaiming Exhibits, Documents or Property](#) [23]

Title II - Commencement of Action; Service

[Rule 3. Commencement of Action](#) [24]

- (a) Form of Action.
- (b) Filing of Action.
- (c) Designation of Parties.



(d) Case Information Sheet.

[Rule 4. Summons](#) [25]

- (a) Contents; Amendments.
- (b) Issuance; Time for Service.
- (c) Service.
- (d) Upon Whom Served.
- (e) Summons - Other Service.
- (f) Territorial Limits of Effective Service.
- (g) Proving Service.

[Rule 4.1. General or Special Appearance](#) [26]

- (a) General Appearance.
- (b) Motion or Special Appearance to Contest Personal Jurisdiction.

[Rule 5. Serving and Filing Pleadings and Other Papers](#) [27]

- (a) Service: When Required.
- (b) Service: How Made.
- (c) Serving Numerous Defendants.
- (d) Filing.
- (e) Proof of Service.

[Rule 5.1. Attorney Legislators](#) [28]

- (a) Appearance in Court Not Required.
- (b) Extension of Time for Filing; Statute of Limitation Not Tolloed.
- (c) Emergency Provisions.



Rule 6. [Reserved]

Title III - Pleadings; Motions; Scheduling

[Rule 7. Pleadings Allowed; Form of Motions and Other Papers](#) [29]

(a) Pleadings.

(b) Motions and Other Papers.

[Rule 7.1. Evidence on a Motion](#) [30]

[Rule 7.2. Hearings by Telephone or Video Teleconference](#) [31]

(a) Hearings Allowed.

(b) Minutes; Recording; Costs.

[Rule 7.3. Video Conferencing for Mental Commitment Hearings](#) [32]

(a) Video Conferencing Allowed.

(b) Recording; Minutes.

[Rule 8. General Rules of Pleading](#) [33]

(a) Claim for Relief.

(b) Defenses; Admissions and Denials.

(c) Affirmative Defenses.

(d) Pleadings to be Concise and Direct; Alternative Statements; Inconsistency.

(e) Construing Pleadings.

[Rule 9. Pleading Special Matters](#) [34]

(a) Capacity or Authority to Sue; Legal Existence.

(b) Fraud or Mistake; Conditions of Mind; Violation of Rights.



- (c) Conditions Precedent.
- (d) Official Document or Act.
- (e) Judgment.
- (f) Time and Place.
- (g) Damages.
- (h) Limitations.
- (i) Libel and Slander.
- (j) Description of Real Property.

[Rule 10. Form of Pleadings](#) [35]

- (a) Designation of Pleading.
- (b) Paragraphs; Separate Statements.
- (c) Adoption by Reference; Exhibits.
- (d) Unknown Party.

[Rule 10.1. Filing Fee-Waiver](#) [36]

[Rule 11. Signing Pleadings, Motions, and Other Papers; Representations to the Court; Sanctions](#) [37]

- (a) Signature.
- (b) Representations to the Court.
- (c) Sanctions.
- (d) Inapplicability to Discovery.

[Rule 11.1. Verification](#) [38]

[Rule 11.2. Successive Applications for Orders or Writs; Motions for Reconsideration](#) [39]

- (a) Successive Applications.
- (b) Motion for Reconsideration.



[Rule 11.3. Substitution and Withdrawal of Attorneys](#) [40]

- (a) Substitution of Attorney.
- (b) Withdrawal of Attorney.
- (c) Service; Content of Order; Stay of Action; Dismissal or Default Judgment.
- (d) Withdrawal Upon Death, Disbarment or Other Conditions.

[Rule 11.4. Limited Pro Bono Appearance](#) [41]

- (a) In General.
- (b) Limited Authority.

[Rule 12. Defenses and Objections: When and How Presented; Motion for Judgment on the Pleadings; Consolidating Motions; Waiving Defenses; Hearings Before Trial](#) [42]

- (a) Time to Serve a Responsive Pleading.
- (b) How to Present Defenses.
- (c) Motion for Judgment on the Pleadings.
- (d) Result of Presenting Matters Outside the Pleadings.
- (e) Motion for a More Definite Statement.
- (f) Motion to Strike.
- (g) Joining Motions.
- (h) Waiving and Preserving Certain Defenses.
- (i) Hearing Before Trial.

[Rule 13. Counterclaims and Crossclaims](#) [43]

- (a) Compulsory Counterclaim.
- (b) Permissive Counterclaim.
- (c) Relief Sought in a Counterclaim.
- (d) Counterclaim Against Government Entities.



- (e) Counterclaim Maturing or Acquired After Pleading.
- (f) Reserved.
- (g) Crossclaim Against a Coparty.
- (h) Joining Additional Parties.
- (i) Separate Trials; Separate Judgments.

[Rule 14. Third-Party Practice](#) [44]

- (a) When a Defending Party May Bring in a Third Party.
- (b) When a Plaintiff May Bring in a Third Party.

[Rule 15. Amended and Supplemental Pleadings](#) [45]

- (a) Amendments Before Trial.
- (b) Amendments During and After Trial.
- (c) Relation Back of Amendments.
- (d) Supplemental Pleadings.

[Rule 16. Pretrial Conferences; Scheduling; Management](#) [46]

- (a) Scheduling Conferences and Orders.
- (b) Request for Trial Setting by a Party.
- (c) Final Pretrial Conference and Order.
- (d) Exhibits and Witnesses.
- (e) Sanctions.

Title IV - Parties

[Rule 17. Plaintiff and Defendant; Capacity](#) [47]

- (a) Real Party in Interest.
- (b) Capacity to Sue or be Sued.



(c) Minor or Incompetent Person.

(d) Unknown Owners or Heirs as Parties.

[Rule 18. Joinder of Claims](#) [48]

(a) In General.

(b) Joinder of Contingent Claims.

[Rule 19. Required Joinder of Parties](#) [49]

(a) Persons Required to be Joined if Feasible.

(b) When Joinder is Not Feasible.

(c) Pleading Reasons for Nonjoinder.

(d) Exception for Class Actions.

[Rule 19.1. Motor Vehicle Operator](#) [50]

[Rule 20. Permissive Joinder of Parties](#) [51]

(a) Persons Who May Join or be Joined.

(b) Protective Measures.

[Rule 21. Misjoinder and Nonjoinder of Parties](#) [52]

[Rule 22. Interpleader](#) [53]

(a) Grounds.

(b) Relation to Other Rules.

Rule 23. Reserved



[Rule 24. Intervention](#) [54]

- (a) Intervention of Right.
- (b) Permissive Intervention.
- (c) Notice and Pleading Required.

[Rule 25. Substitution of Parties](#) [55]

- (a) Death.
- (b) Incompetency.
- (c) Transfer of Interest.
- (d) Public Officers; Death or Separation from Office.
- (e) Substitution at Any Stage.

Title V - Discovery

[Rule 26. General Provisions Governing Discovery](#) [56]

- (a) Discovery Methods.
- (b) Discovery Scope and Limits.
- (c) Protective Orders.
- (d) Sequence of Discovery.
- (e) Supplementing Responses.
- (f) Signing Discovery Requests, Responses and Objections.

[Rule 27. Depositions to Perpetuate Testimony](#) [57]

- (a) Before an Action is Filed.
- (b) Pending Appeal.
- (c) Perpetuation by an Action.

[Rule 28. Persons Before Whom Depositions May Be Taken](#) [58]



- (a) Within the United States.
- (b) In a Foreign Country.
- (c) Of Members of the Armed Forces.
- (d) Disqualification.

[Rule 29. Stipulations About Discovery Procedure](#) [59]

[Rule 30. Depositions by Oral Examination](#) [60]

- (a) When a Deposition May Be Taken.
- (b) Notice of the Deposition; Other Formal Requirements.
- (c) Examination and Cross-Examination; Record of the Examination; Objections; Written Questions.
- (d) Objections; Conduct; Sanction; Motion to Terminate or Limit Examination.
- (e) Review by the Witness; Changes.
- (f) Certification and Delivery; Exhibits; Copies of the Transcript or Recording; Notice of Completion; Inspection and Use.
- (g) Failure to Attend a Deposition or Serve a Subpoena; Expenses.

[Rule 30.1. Audio-Visual Recording of Depositions](#) [61]

- (a) In General.
- (b) Official Record.
- (c) Transcript.
- (d) Use of Audio-Visual Deposition.
- (e) Notice of Audio-Visual Deposition.
- (f) Procedure for Taking.
- (g) Costs.

[Rule 31. Depositions by Written Questions](#) [62]

- (a) When a Deposition May Be Taken.



- (b) Delivery to the Officer; Officer's Duties.
- (c) Notice of Completion.
- (d) Protective Orders.

[Rule 32. Using Depositions in Court Proceedings](#) [63]

- (a) Using Depositions.
- (b) Objections to Admissibility.
- (c) Reserved.
- (d) Waiver of Objections.

[Rule 33. Interrogatories to Parties](#) [64]

- (a) In General.
- (b) Answers and Objections.
- (c) Use.
- (d) Option to Produce Business Records.
- (e) Non-Filing; Notice of Serving.

[Rule 34. Producing Documents, Electronically Stored Information, and Tangible Things, or Entering Onto Land, for Inspection and Other Purposes](#) [65]

- (a) In General.
- (b) Procedure.
- (c) Nonparties.
- (d) Non-Filing; Notice of Serving.

[Rule 35. Physical and Mental Examinations](#) [66]

- (a) Order for an Examination.
- (b) Examiner's Report.



[Rule 36. Requests for Admission](#) [67]

- (a) Scope and Procedure.
- (b) Effect of an Admission; Withdrawing or Amending It.
- (c) Documents Attached to Pleadings.
- (d) Use of Admissions with the Court.
- (e) Non-Filing; Notice of Serving.

[Rule 37. Failure to Cooperate in Discovery; Sanctions](#) [68]

- (a) Motion for an Order Compelling Disclosure or Discovery.
- (b) Failure to Comply with a Court Order.
- (c) Failure to Disclose, to Supplement an Earlier Response, or to Admit.
- (d) Party's Failure to Attend Its Own Deposition, Serve Answers to Interrogatories, or Respond to a Request for Production or for Inspection.
- (e) Failure to Provide Electronically Stored Information.
- (f) General Sanctions; Catch-All.

Title VI - Alternative Dispute Resolution and Trial

[Rule 37.1. Mediation and Online Dispute Resolution of Civil Lawsuits](#) [69]

- (a) Definitions of Mediation and Online Dispute Resolution.
- (b) Matters Subject to Mediation.
- (c) Authority of the Courts.
- (d) Referral to Mediation or Online Dispute Resolution.
- (e) Selection of the Mediator.
- (f) Scheduling of First Mediation Session.
- (g) Reports.
- (h) Compensation of Mediators.
- (i) Impartiality.
- (j) Attendance at Mediation.



(k) Confidentiality.

(l) Sanctions.

[Rule 38. Jury Trial](#) [70]

(a) Right to Jury Preserved.

(b) Demand for Jury.

(c) Specifying Issues.

(d) Waiver; Withdrawal.

[Rule 39. Trial by Jury or by the Court](#) [71]

(a) When a Demand is Made.

(b) When No Demand is Made.

(c) Advisory Jury; Jury Trial by Consent.

[Rule 40. Disqualification](#) [72]

(a) Disqualification Without Cause.

(b) Disqualification for Cause.

(c) Voluntary Disqualification.

(d) Disqualification and Assignment of New Judge.

[Rule 40.1. Change of Venue](#) [73]

(a) Motion for Change of Venue.

(b) Change of Venue in Same Judicial District.

(c) Change of Venue to a Different Judicial District.

(d) Disqualification of Judge on Change of Venue.

[Rule 41. Dismissal of Actions](#) [74]



- (a) Voluntary Dismissal.
- (b) Involuntary Dismissal; Effect.
- (c) Dismissing a Counterclaim, Crossclaim, or Third-Party Claim.
- (d) Costs of a Previously Dismissed Action.
- (e) Dismissal of Inactive Cases.

[Rule 42. Consolidation; Separate Trials](#) [75]

- (a) Consolidation.
- (b) Separate Trials.

[Rule 42.1. Trials and Hearings in Open Court; Where Held](#) [76]

- (a) Trials in Open Court; In Regular Courtroom.
- (b) Hearings Outside the County.

[Rule 43. Taking Testimony](#) [77]

- (a) In Open Court.
- (b) Affirmation Instead of an Oath.
- (c) Interpreter.
- (d) Direct and Cross-Examination.
- (e) Reexamination and Recalling of Witnesses.
- (f) View of Premises, Property or Things.
- (g) Inspection of Writings.

[Rule 44. Judicial Notice of Facts and Foreign Law](#) [78]

- (a) In General.
- (b) Adjudicative Fact.
- (c) Foreign Law.



[Rule 45. Subpoenas](#) [79]

- (a) In General.
- (b) Service.
- (c) Subpoena for Production or Inspection of Premises.
- (d) Relief from Subpoena.
- (e) Duties in Responding to a Subpoena.
- (f) Subpoena for Deposition.
- (g) Subpoena for Hearing or Trial.
- (h) Witness Fees.
- (i) Failure to Obey Subpoena.
- (j) Interstate Depositions and Discovery.

[Rule 46. Objecting to a Ruling or Order](#) [80]

[Rule 47. Jury Procedure](#) [81]

- (a) Use of Juror Questionnaires.
- (b) Jury Roll Call Procedure.
- (c) Oath to Panel.
- (d) Initial Jury Selection.
- (e) Opening Statements.
- (f) Voir Dire.
- (g) Use of Struck Jury.
- (h) Challenges for Cause.
- (i) Peremptory Challenges.
- (j) Additional Jurors.
- (k) Managing Jurors in Trial.
- (l) Number of Jurors; Majority Verdict.



(m) Polling the Jury after Verdict.

[Rule 48. Mistrial](#) [82]

[Rule 49. Verdicts](#) [83]

(a) Special Verdict.

(b) General Verdict with Answers to Written Questions.

[Rule 50. Dispositive Trial Motions](#) [84]

(a) Motion for Directed Verdict.

(b) Motion for Judgment Notwithstanding the Verdict.

[Rule 51. Jury Instructions](#) [85]

(a) Pre-trial Conference.

(b) Consequences of Not Filing Requests.

(c) Instructions Proposed by the Court.

(d) How Instructions are Submitted.

(e) Ruling on Proposed Instructions.

(f) Record of Objections.

(g) Use of Idaho Jury Instructions.

(h) Preliminary Instructions.

(i) Procedure with the Jury.

[Rule 52. Findings and Conclusions by the Court](#) [86]

(a) In General.

(b) Amended or Additional Findings.

(c) Assignment of Error.



[Rule 53. Masters](#) [87]

- (a) Appointment.
- (b) Appointment is an Exception.
- (c) Compensation.
- (d) Disqualification of a Master.
- (e) Authority and Duties of a Master.
- (f) Meetings of Master.
- (g) Witnesses.
- (h) Statement of Accounts.
- (i) Master's Report.
- (j) Master's Findings in Actions Without a Jury.
- (k) Master's Finding in Jury Actions.
- (l) Stipulations as to Findings of Master.
- (m) Draft Report.

Title VII - Judgment

[Rule 54. Judgments; Costs](#) [88]

- (a) Definition - Form - Amendments.
- (b) Partial Judgment Upon Multiple Claims or Involving Multiple Parties.
- (c) Demand for Judgment; Relief to be Granted.
- (d) Costs.
- (e) Attorney Fees.

[Rule 55. Default; Default Judgment](#) [89]

- (a) Entering a Default.
- (b) Entering a Default Judgment.
- (c) Setting Aside Default or Default Judgment.



(d) Default Judgment Against the State.

[Rule 56. Summary Judgment](#) [90]

(a) Motion for Summary Judgment or Partial Summary Judgment.

(b) Time.

(c) Procedures.

(d) When Facts are Unavailable to the Nonmovant.

(e) Failing to Properly Support or Address a Fact.

(f) Failing to Grant all the Requested Relief.

(g) Affidavit or Declaration Submitted in Bad Faith.

[Rule 57. Declaratory Judgments](#) [91]

(a) In General.

(b) Coverage Under Insurance Policy.

[Rule 58. Entry of Judgment](#) [92]

[Rule 58.1. Satisfaction of Judgment](#) [93]

(a) Required on Full Payment.

(b) Signature Required.

[Rule 58.2. Certificate of Adoption](#) [94]

Title VIII - Post-Judgment Procedure

[Rule 59. New Trial; Altering or Amending a Judgment](#) [95]

(a) In General.

(b) Time to File a Motion for a New Trial.



- (c) Time to Serve Affidavits.
- (d) New Trial on the Court's Initiative or for Reasons Not in the Motion.
- (e) Motion to Alter or Amend a Judgment.

[Rule 59.1. Additurs or Remittiturs Instead of New Trial](#) [96]

- (a) Acceptance or Rejection.
- (b) Effect of Appeal.

[Rule 60. Relief From a Judgment or Order.](#) [97]

- (a) Corrections Based on Clerical Mistakes; Oversights and Omissions.
- (b) Grounds for Relief from a Final Judgment, Order, or Proceeding.
- (c) Timing and Effect of the Motion.
- (d) Other Powers to Grant Relief.

[Rule 61. Harmless Error](#) [98]

[Rule 62. Stay of Proceedings to Enforce a Judgment](#) [99]

- (a) No Automatic Stay on Entry of Judgment.
- (b) Stay Pending the Disposition of a Motion.
- (c) Injunction or Writ of Mandate Pending an Appeal.
- (d) Stay Upon Appeal.
- (e) Stay in Favor of the State, Subdivision, or Agency Thereof; Waiver.
- (f) Waiver of Security.
- (g) Appellate Court's Power not Limited.
- (h) Stay with Multiple Claims or Parties.

[Rule 63. Judge's Inability to Proceed](#) [100]



Title IX - Provisional and Final Remedies

[Rule 64. Seizing a Person or Property](#) [101]

[Rule 65. Injunctions and Restraining Orders](#) [102]

- (a) Preliminary Injunction.
- (b) Temporary Restraining Order.
- (c) Security.
- (d) Contents and Scope of Every Injunction and Restraining Order.
- (e) Grounds for Preliminary Injunction.
- (f) Restoring Possession of Real Property.
- (g) Employer and Employee Actions Exempt.

[Rule 66. Sureties on Bond](#) [103]

- (a) Form of Bond and Justification of Sureties.
- (b) Attorney Not Acceptable as Surety.
- (c) Proceedings Against a Surety.

[Rule 67. Deposit Into Court](#) [104]

- (a) Depositing Money or Property.
- (b) Motion for Deposit.
- (c) Depositing and Withdrawing.

[Rule 68. Offer of Judgment](#) [105]

- (a) Making an Offer; Judgment on an Accepted Offer.
- (b) Unaccepted Offer.
- (c) Offer After Liability is Determined.



(d) Paying Costs After an Unaccepted Offer.

[Rule 69. Execution](#) [106]

(a) In General.

(b) Procedure on Execution.

(c) Obtaining Discovery.

[Rule 69.1. Claim of Exemption; Interrogatories Submitted to Garnishee; Forms](#) [107]

[Rule 70. Enforcing a Judgment for a Specific Act](#) [108]

(a) Party's Failure to Act; Ordering Another to Act.

(b) Vesting Title.

(c) Obtaining a Writ of Attachment or Sequestration.

(d) Obtaining a Writ of Execution or Assistant.

(e) Motion for Contempt.

[Rule 71. Enforcing Relief For or Against a Nonparty](#) [109]

[Rule 72. Order to Show Cause](#) [110]

(a) Procedure.

(b) Notice of Intent to Present Evidence and Duty to Produce Designated Person.

[Rule 73. Receivers](#) [111]

[Rule 74. Actions for Writ of Mandate or Prohibition](#) [112]

(a) Definitions.

(b) Procedure.



Title X - Special Proceedings

[Rule 75. Contempt](#) [113]

- (a) Definitions.
- (b) Summary Proceedings.
- (c) Nonsummary Proceedings; Commencement.
- (d) Nonsummary Proceedings; Service; Time Limits.
- (e) Nonsummary Proceedings; Warrant of Attachment and Bail.
- (f) Nonsummary Proceedings; Initial Appearance of Respondent.
- (g) Nonsummary Proceedings; Plea.
- (h) Nonsummary Proceedings; Defenses to the Contempt.
- (i) Nonsummary Proceedings; Trial.
- (j) Nonsummary Proceedings; Burden of Proof.
- (k) Nonsummary Proceedings; Findings of Fact.
- (l) Nonsummary Proceedings; Imposition of Sanctions.
- (m) Nonsummary Proceedings; Attorney Fees.
- (n) Other Rules.

[Rule 76. Small Lawsuit Resolution Act Procedure](#) [114]

- (a) Application of Rule.
- (b) Computation of Amount of Claim.
- (c) Initiation of the Small Lawsuit Resolution Act Process.
- (d) Objection to Use of the Small Lawsuit Resolution Process.
- (e) Selection of Evaluator.
- (f) Compensation of Evaluator.
- (g) Authority of Evaluator.
- (h) Impartiality. An evaluator has a duty to be impartial, and has a continuing duty to advise all parties of any circumstances bearing on possible bias, prejudice or partiality.



- (i) Sanctions.
- (j) Notice of Request for Trial de Novo.
- (k) Statistical Information.

[Rule 77. Class Actions](#) [115]

- (a) Prerequisites to a Class Action.
- (b) Types of Class Actions.
- (c) Certification Order; Notice to Class Members; Judgment; Issues Classes; Subclasses.
- (d) Conducting the Action.
- (e) Settlement, Voluntary Dismissal, or Compromise.
- (f) Reserved.
- (g) Class Counsel.
- (h) Attorney's Fees and Nontaxable Costs.

[Rule 78. Derivative Actions](#) [116]

- (a) Prerequisites.
- (b) Pleading Requirements.
- (c) Settlement, Dismissal, and Compromise.

[Rule 79. Action Relating to Unincorporated Associations](#) [117]

Rule 80. Reserved

Rule 81. Reserved

_ [118]

Rule 82. Reserved

[Rule 83. Appeals from Decisions of Magistrate Judges](#) [119]



- (a) Where an Appeal Must be Taken.
- (b) Time for Filing an Appeal or Cross Appeal.
- (c) Service of the Notice of Appeal.
- (d) Contents of the Notice of Appeal.
- (e) Stay During Appeal--Powers of Magistrate.
- (f) Manner of Review by District Court.
- (g) Transcripts.
- (h) Clerk's Record.
- (i) Settlement of Transcript.
- (j) Filing of Record and Transcript.
- (k) Augmentation of the Record.
- (l) Joint Use of Transcript.
- (m) Effect of Failure to Comply With Time Limits.
- (n) Motions.
- (o) Appellate Briefs.
- (p) Appellate Argument.
- (q) Other Appellate Rules.
- (r) Decision Entered on Appeal.

[Rule 83.1 Appeal by Permission from Interlocutory Orders of Magistrate Judges](#) [120]

- (a) Criteria for permission to appeal.
- (b) Motion to Magistrate Court--Order.
- (c) Motion to District Court for Permission to Appeal.
- (d) Acceptance by District Court.
- (e) Denial by District Court.

[Rule 84. Judicial Review of Agency Actions by the District Court](#) [121]



- (a) Judicial Review of State Agency and Local Government Actions.
- (b) Filing a Petition or Cross-Petition.
- (c) Petition for Judicial Review – Contents.
- (d) Serving the Petition.
- (e) Method and Scope of Review.
- (f) Preparation of Record - Payment of Fee - Lodging of Record.
- (g) Transcripts – Payment of Fee – Certification.
- (h) Joint Use of Transcripts.
- (i) Form of Transcript.
- (j) Settlement of Transcript and Record.
- (k) Filing of Settled Transcript and Record with the District Court.
- (l) Augmentation of Record; Additional Evidence; Remand to Agency.
- (m) Stay During Consideration of Petition for Judicial Review.
- (n) Effect of Failure to Comply with Time Limits.
- (o) Motions.
- (p) Briefs and Memoranda.
- (q) Oral Argument.
- (r) Other Procedural Rules.
- (s) Listening to, Watching or Copying Recording Tapes.
- (t) Finality of Judgments or Decisions – Remittiturs.

Appendix A: [Civil Filing Fees Schedule \(2024\)](#) [4]

Appendix B: Forms (.docx)

[Rule 2.8\(e\). Unsworn Declaration](#) [122]

[Rule 4\(a\)\(3\)\(A\). Summons – Eviction Proceedings](#) [123]

[Rule 4\(a\)\(3\)\(B\). Summons – Other Civil Proceedings](#) [124]

[Rule 4\(a\)\(3\)\(C\). Summons – Publication](#) [125]



[Rule 45\(a\)\(1\)\(A\). Subpoena](#) [126]

[Rule 54\(b\). Certificate of Final Partial Judgment](#) [127]

[Rule 69.1\(a\). Notice of Exemptions](#) [128] / [Spanish Version](#) [129]

[Rule 69.1\(b\). Instructions to Debtors and Third Parties](#) [130]

[Rule 69.1\(c\). Claim of Exemptions or Third Party Claim](#) [131] / [Spanish Version](#) [132]

[Rule 69.1\(d\). Interrogatories to Garnishee](#) [133]

[Rule 83\(g\)\(3\). Certificate of Transcription – Magistrate Appeal](#) [134]

[Rule 84\(g\)\(1\)\(D\). Certificate Transcription – Agency Review](#) [135]

[Rule 84\(g\)\(2\)\(D\) Certificate of Transcription – Agency Review \(previously transcribed\)](#) [136]

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

Links

- [1] http://www.isc.idaho.gov/orders/IRCP_Newly_Formatted_Rules_Order_02.16.pdf
- [2] https://isc.idaho.gov/./rules/forms/IRCP_Cross-Reference-Table-new-to-old_07.16.pdf
- [3] https://isc.idaho.gov/./rules/forms/IRCP_Cross-Reference-Table-old-to-new_07.16.pdf
- [4] <https://isc.idaho.gov/rules/Appendix-A-Civil-Case-Filing-Fees-071224.pdf>
- [5] https://isc.idaho.gov/files/Civil_Cover_Sheet_053023.pdf
- [6] https://isc.idaho.gov/files/Case_Information_Sheet_for_De_Facto_Custodian_%20Adoption_and_Minor_Guardianship_Cases.pdf
- [7] https://isc.idaho.gov/gc/CAO_GCPI_1-1.pdf
- [8] https://isc.idaho.gov/gc/CAO_GCPI_1-1.rtf
- [9] <https://isc.idaho.gov/./ircp1-new>
- [10] <https://isc.idaho.gov/./ircp1.1-new>
- [11] <https://isc.idaho.gov/./ircp1.2-new>
- [12] <https://isc.idaho.gov/./ircp1.3-new>
- [13] <https://isc.idaho.gov/./ircp2-new>
- [14] <https://isc.idaho.gov/./ircp2.1-new>
- [15] <https://isc.idaho.gov/./ircp2.2-new>
- [16] <https://isc.idaho.gov/./ircp2.3-new>
- [17] <https://isc.idaho.gov/./ircp2.4-new>
- [18] <https://isc.idaho.gov/./ircp2.5-new>
- [19] <https://isc.idaho.gov/./ircp2.6-new>
- [20] <https://isc.idaho.gov/./ircp2.7-new>
- [21] <https://isc.idaho.gov/./ircp2.8-new>
- [22] <https://isc.idaho.gov/./ircp2.9-new>
- [23] <https://isc.idaho.gov/./ircp2.10-new>
- [24] <https://isc.idaho.gov/./ircp3-new>
- [25] <https://isc.idaho.gov/./ircp4-new>
- [26] <https://isc.idaho.gov/./ircp4.1-new>
- [27] <https://isc.idaho.gov/./ircp5-new>
- [28] <https://isc.idaho.gov/./ircp5.1-new>
- [29] <https://isc.idaho.gov/./ircp7-new>
- [30] <https://isc.idaho.gov/./ircp7.1-new>



- [31] <https://isc.idaho.gov/./ircp7.2-new>
- [32] <https://isc.idaho.gov/./ircp7.3-new>
- [33] <https://isc.idaho.gov/./ircp8-new>
- [34] <https://isc.idaho.gov/./ircp9-new>
- [35] <https://isc.idaho.gov/./ircp10-new>
- [36] <https://isc.idaho.gov/./ircp10.1-new>
- [37] <https://isc.idaho.gov/./ircp11-new>
- [38] <https://isc.idaho.gov/./ircp11.1-new>
- [39] <https://isc.idaho.gov/./ircp11.2-new>
- [40] <https://isc.idaho.gov/./ircp11.3-new>
- [41] <https://isc.idaho.gov/./ircp11.4-new>
- [42] <https://isc.idaho.gov/./ircp12-new>
- [43] <https://isc.idaho.gov/./ircp13-new>
- [44] <https://isc.idaho.gov/./ircp14-new>
- [45] <https://isc.idaho.gov/./ircp15-new>
- [46] <https://isc.idaho.gov/./ircp16-new>
- [47] <https://isc.idaho.gov/./ircp17-new>
- [48] <https://isc.idaho.gov/./ircp18-new>
- [49] <https://isc.idaho.gov/./ircp19-new>
- [50] <https://isc.idaho.gov/./ircp19.1-new>
- [51] <https://isc.idaho.gov/./ircp20-new>
- [52] <https://isc.idaho.gov/./ircp21-new>
- [53] <https://isc.idaho.gov/./ircp22-new>
- [54] <https://isc.idaho.gov/./ircp24-new>
- [55] <https://isc.idaho.gov/./ircp25-new>
- [56] <https://isc.idaho.gov/./ircp26-new>
- [57] <https://isc.idaho.gov/./ircp27-new>
- [58] <https://isc.idaho.gov/./ircp28-new>
- [59] <https://isc.idaho.gov/./ircp29-new>
- [60] <https://isc.idaho.gov/./ircp30-new>
- [61] <https://isc.idaho.gov/./ircp30.1-new>
- [62] <https://isc.idaho.gov/./ircp31-new>
- [63] <https://isc.idaho.gov/./ircp32-new>
- [64] <https://isc.idaho.gov/./ircp33-new>
- [65] <https://isc.idaho.gov/./ircp34-new>
- [66] <https://isc.idaho.gov/./ircp35-new>
- [67] <https://isc.idaho.gov/./ircp36-new>
- [68] <https://isc.idaho.gov/./ircp37-new>
- [69] <https://isc.idaho.gov/./ircp37.1-new>
- [70] <https://isc.idaho.gov/./ircp38-new>
- [71] <https://isc.idaho.gov/./ircp39-new>
- [72] <https://isc.idaho.gov/./ircp40-new>
- [73] <https://isc.idaho.gov/./ircp40.1-new>
- [74] <https://isc.idaho.gov/./ircp41-new>
- [75] <https://isc.idaho.gov/./ircp42-new>
- [76] <https://isc.idaho.gov/./ircp42.1-new>
- [77] <https://isc.idaho.gov/./ircp43-new>
- [78] <https://isc.idaho.gov/./ircp44-new>
- [79] <https://isc.idaho.gov/./ircp45-new>
- [80] <https://isc.idaho.gov/./ircp46-new>
- [81] <https://isc.idaho.gov/./ircp47-new>
- [82] <https://isc.idaho.gov/./ircp48-new>
- [83] <https://isc.idaho.gov/./ircp49-new>
- [84] <https://isc.idaho.gov/./ircp50-new>
- [85] <https://isc.idaho.gov/./ircp51-new>



- [86] <https://isc.idaho.gov/./ircp52-new>
- [87] <https://isc.idaho.gov/./ircp53-new>
- [88] <https://isc.idaho.gov/./ircp54-new>
- [89] <https://isc.idaho.gov/./ircp55-new>
- [90] <https://isc.idaho.gov/./ircp56-new>
- [91] <https://isc.idaho.gov/./ircp57-new>
- [92] <https://isc.idaho.gov/./ircp58-new>
- [93] <https://isc.idaho.gov/./ircp58.1-new>
- [94] <https://isc.idaho.gov/./ircp58.2-new>
- [95] <https://isc.idaho.gov/./ircp59-new>
- [96] <https://isc.idaho.gov/./ircp59.1-new>
- [97] <https://isc.idaho.gov/./ircp60-new>
- [98] <https://isc.idaho.gov/./ircp61-new>
- [99] <https://isc.idaho.gov/./ircp62-new>
- [100] <https://isc.idaho.gov/./ircp63-new>
- [101] <https://isc.idaho.gov/./ircp64-new>
- [102] <https://isc.idaho.gov/./ircp65-new>
- [103] <https://isc.idaho.gov/./ircp66-new>
- [104] <https://isc.idaho.gov/./ircp67-new>
- [105] <https://isc.idaho.gov/./ircp68-new>
- [106] <https://isc.idaho.gov/./ircp69-new>
- [107] <https://isc.idaho.gov/./ircp69.1-new>
- [108] <https://isc.idaho.gov/./ircp70-new>
- [109] <https://isc.idaho.gov/./ircp71-new>
- [110] <https://isc.idaho.gov/./ircp72-new>
- [111] <https://isc.idaho.gov/./ircp73-new>
- [112] <https://isc.idaho.gov/./ircp74-new>
- [113] <https://isc.idaho.gov/./ircp75-new>
- [114] <https://isc.idaho.gov/./ircp76-new>
- [115] <https://isc.idaho.gov/./ircp77-new>
- [116] <https://isc.idaho.gov/./ircp78-new>
- [117] <https://isc.idaho.gov/./ircp79-new>
- [118] <https://isc.idaho.gov/./ircp81-new>
- [119] <https://isc.idaho.gov/./ircp83-new>
- [120] <https://isc.idaho.gov/ircp83-1>
- [121] <https://isc.idaho.gov/./ircp84-new>
- [122] https://isc.idaho.gov/./rules/forms/IRCP_Rule_2.8%28e%29_Form_07.16.docx
- [123] https://isc.idaho.gov/./rules/forms/IRCP_Rule_4%28a%29%283%28A%29_Form_07.18.docx
- [124] https://isc.idaho.gov/./rules/forms/IRCP_Rule_4%28a%29%283%29%28B%29_Form_09.16.docx
- [125] https://isc.idaho.gov/./rules/forms/IRCP_Rule_4%28a%29%283%29%28C%29_Form_09.16.docx
- [126] https://isc.idaho.gov/./rules/forms/IRCP_Rule_45%28a%29%281%29%28A%29_Form_07.16.docx
- [127] https://isc.idaho.gov/./rules/forms/IRCP_Rule_54%28b%29_Form_07.16.docx
- [128] [https://isc.idaho.gov/files/IRCP-Appendix-B-Form-69_1\(a\)-Notice-of-Exemptions.pdf](https://isc.idaho.gov/files/IRCP-Appendix-B-Form-69_1(a)-Notice-of-Exemptions.pdf)
- [129] https://isc.idaho.gov/./files/IRCP-Appendix-B-Form-69_1%28a%29-Notice-of-Exemptions-SPA.pdf
- [130] https://isc.idaho.gov/files/CAO_Cv_10-11_Instructions_to_Debtors_and_Third_Parties.docx
- [131] [https://isc.idaho.gov/files/IRCP-Appendix-B-Form-69_1\(c\)-Claim-of-Exemption.pdf](https://isc.idaho.gov/files/IRCP-Appendix-B-Form-69_1(c)-Claim-of-Exemption.pdf)
- [132] https://isc.idaho.gov/./files/IRCP-Appendix-B-Form-69_1%28a%29-Notice-of-Exemptions_SPA.pdf
- [133] https://isc.idaho.gov/files/CAO_Cv_10-13_Interrogatories_to_Garnishee.docx
- [134] https://isc.idaho.gov/./rules/forms/IRCP_Rule_83%28g%29%283%29_Form_07.16.docx
- [135] https://isc.idaho.gov/./rules/forms/IRCP_Rule_84%28g%29%281%29%28D%29_Form_07.16.docx
- [136] https://isc.idaho.gov/./rules/forms/IRCP_Rule_84%28g%29%282%29%28D%29_Form_07.16.docx