

I.A.R. 29. Settlement and filing of reporter's transcript and clerk's or agency's record

Idaho Appellate Rule Rule 29. Settlement and Filing of Reporter's Transcript and Clerk's or Agency's Record.

(a) Settlement of Transcript and Record. Upon the completion of the reporter's transcript, the reporter shall lodge the original and all copies with the clerk of the district court or administrative agency. Upon the receipt of the reporter's transcript and upon completion of the clerk's or agency's record, the clerk of the district court or administrative agency shall serve copies of the reporter's transcript and clerk's or agency's record upon the parties by serving one copy of the transcript and record on the appellant and one copy of the transcript and record on the respondent. In all appeals from criminal prosecutions and post-conviction relief petitions service shall be made upon the attorney general of the state of Idaho, as representative of the state. Service may be by personal delivery or by mail. If service is made by mail it shall be accompanied by a certificate indicating the date of mailing. If there are multiple parties appellant or respondent the clerk shall mail or deliver a notice of the lodging of the reporter's transcript and clerk's or agency's record to all attorneys or parties appearing in person, stating that the transcript and record have been lodged, and further stating that the clerk will serve the same upon the parties upon receipt of a stipulation of the parties, or order of the district court or administrative agency, as to which parties shall be served with the transcript and record. The parties shall have 28 days from the date of the service of the transcript and the record within which to file objections to the transcript or the record, including requests for corrections, additions or deletions. In the event no objections to the reporter's transcript or clerk's or agency's record are filed within said 28-day time period, the transcript and record shall be deemed settled. Any objection made to the reporter's transcript or clerk's or agency's record must be accompanied by a notice setting the objection for hearing and shall be heard and determined by the district court or administrative agency from which the appeal is taken. After such determination is made, the reporter's transcript and clerk's or agency's record shall be deemed settled as ordered by the district court or administrative agency. The reporter's transcript and clerk's or agency's record may also be settled by stipulation of all affected parties.

(b) Filing Transcript and Record with Supreme Court. Upon settlement of the reporter's transcript and clerk's or agency's record, the clerk of the district court or administrative agency shall, within seven (7) days, file the original hard copy, one additional hard copy and one electronic copy of the transcript and three copies of the clerk's or agency's record with the Clerk of the Supreme Court. The Clerk of the Supreme Court shall notify all attorneys of record, or parties appearing in person, of the date of such filing. Such notification shall also state when the briefs of the parties are required to be filed.

(Adopted March 25, 1977, effective July 1, 1977; amended March 31, 1978, effective July 1, 1978; amended March 30, 1984, effective July 1, 1984; amended July 17, 1996, effective October 1, 1996; amended January 30, 2001, effective July 1, 2001; amended March 22, 2002, effective July 1, 2002; amended March 19, 2009, effective July 1, 2009.)

Source URL: <https://isc.idaho.gov/iar29>