

## **IRFLP 121 Dismissal of Active Cases**

### **Idaho Rules of Family Law Procedure Rule 121. Dismissal of Active Cases - Voluntary Dismissal - Effect Thereof - By Petitioner - By Stipulation.**

Subject to the provisions of any statute of the state of Idaho, an action may be dismissed by the petitioner without order of court (1) by filing a notice of dismissal at any time before service by the adverse party of a response or of a motion for summary judgment, whichever occurs first, or (2) by filing a stipulation of dismissal signed by all parties who have appeared in the action. Unless otherwise stated in the notice of dismissal or stipulation, the dismissal is without prejudice. A voluntary dismissal by the claimant alone shall be made before a responsive pleading is served or, if there is none, before the introduction of evidence at the trial or hearing.

(Adopted April 2, 2014, effective for early adopters July 1, 2014, effective statewide July 1, 2015.)

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