

IRFLP 207 Form of Documents; Caption; Name of Parties; Language; Abbreviation; and Numbers

Idaho Rules of Family Law Procedure Rule 207. Form of Documents; Caption; Name of Parties; Language; Abbreviation; and Numbers.

A. Form, Caption and Name - Generally. The following requirements apply to all documents filed with the court:

(1) they must be printed in black ink using a computer printer, word processor or typewriter on 8 ½" by 11" white paper, except that:

(a) prisoners incarcerated or detained in a state prison or county jail may file documents under this rule that are legibly hand-printed in black ink; and

(b) forms approved by the Supreme Court or the Administrative District Judge or distributed through the Court Assistance Office in the county where the action is pending may be completed by legibly hand-printing in black ink or by typing;

(2) they must contain a caption setting forth the names of the parties, the title of the court, the case number, the title of the document;

(3) the title of the court must commence not less than 3 inches from the top of the first page;

(4) the name, address, phone number, email address and currently valid Idaho State Bar Number of the attorney appearing of record or, if unrepresented, the address, phone number and email address (if any) of the self-represented party, must appear above the title of the court in the space to the left of the center of the page and beginning at least 1.2 inches below the top of the page;

(5) if an attorney is representing a party pro bono, this may be indicated immediately below the attorney's bar number with the words "pro bono" and an indication of any program sponsoring the pro bono appearance, such as Idaho Volunteer Lawyers Program, Idaho Legal Aid Clinic, or a law school clinic;

(6) the body of the document must be printed with double line spacing or one-and-one-half (1 1/2) line spacing with a font of not less than 11-point size and with margins of not less than 1.2 inches at the top and sides and not less than 1 inch at the bottom unless slightly smaller margins will allow a document to fit on a single page;

(7) the title of the document must appear at the bottom of each page;

(8) all attached exhibits must be clearly legible;

(9) all handwritten exhibits must be accompanied by a machine-printed duplicate;

(10) the nature of the document, filing fee category, and filing fee prescribed by Appendix "A" of the Idaho Rules of Civil Procedure, must be stated if the document requires a filing fee; and

(11) the title of the action in the petition must include the names of all of the parties, but in subsequent pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of the other parties.

B. Lost Papers. If an original pleading or paper be lost, the court may authorize a copy thereof to be filed and used instead of the original.

C. Language of Pleadings. Pleadings must be in the English language.

D. Abbreviations and Numbers. Common Abbreviations may be used, and numbers may be expressed by words or numerals.

E. Unknown party. When a party does not know the true name of the adverse party, that fact may be stated in the pleadings and the adverse party designated by any name and the words, "whose true name is unknown," and when the true name is discovered the pleading must be amended accordingly.

F. Paragraphs – separate statements. All statements of claim or defense shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances; and a paragraph may be referred to by number in all succeeding pleadings. Each claim founded upon a separate transaction or occurrence and each defense other than denials shall be stated in a separate count or defense whenever a separation facilitates the clear presentation of the matters set forth.

G. Adoption by reference; exhibits. Statements in pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes. All exhibits to pleadings must be legible, distinct and subject to clear copying by reproduction processes; and all exhibits not meeting this requirement, as well as all hand written exhibits, must be accompanied by a typewritten duplicate thereof at the time of filing.

(Adopted April 2, 2014, effective for early adopters July 1, 2014, effective statewide July 1, 2015; amended April 27, 2016, effective July 1, 2016.)

Source URL: <https://isc.idaho.gov/irflp207>