

## **IRFLP 406 Fees of Expert - Apportionment**

### **Idaho Rules of Family Law Procedure Rule 406. Fees of Expert - Apportionment.**

Unless manifest injustice would result, (1) the court shall require that the party seeking discovery pay the expert a reasonable fee for time spent in responding to discovery under [Rule 404.B](#) [1] and [Rule 405](#) [2]; and, in the event discovery is obtained by deposition under [Rule 404.A](#) [1], the party seeking discovery shall pay the expert a reasonable fee for time spent testifying at said deposition; and (2) with respect to discovery obtained under [Rule 404.B](#) [1] the court may require, and with respect to discovery obtained under [Rule 405](#) [2] the court shall require, the party seeking discovery to pay the other party a fair portion of the fees and expenses reasonably incurred by the latter party in obtaining facts and opinions from the expert.

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

**Source URL:** <https://isc.idaho.gov/irflp406>

**Links:**

[1] <https://isc.idaho.gov/irflp404>

[2] <https://isc.idaho.gov/irflp405>