

## **IRFLP 435 Use of Deposition**

### **Idaho Rules of Family Law Procedure Rule 435. Use of Deposition.**

A. Original available for inspection. The attorney having custody of the original transcript shall make it available for inspection by the parties, unless otherwise ordered by the court.

B. Only portions to be used submitted to court. If a deposition, or portions thereof, are to be used at trial, or are to be used either in support of, or in opposition to, a pretrial or post-trial motion, only those portions to be used shall be submitted to the court at the outset of the trial or at the filing of the motion or response thereto, insofar as their use can be reasonably anticipated by the party seeking to introduce such evidence. For purposes of this Rule, and unless a genuine issue of authenticity is raised, a moving party need not produce the original transcript, but may rely on the submission of relevant excerpts from copies of the original transcript.

C. Return after final disposition. Depositions, or portions thereof, which have been submitted to the court pursuant to this Rule shall be returned to appropriate counsel after final disposition of the case.

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

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