

IRFLP 803 Judgments - Definition - Form

Idaho Rules of Family Law Procedure Rule 803. Judgments

A. Definition and form in general. "Judgment" as used in these rules means a separate document entitled Judgment or Decree. A judgment shall state the relief to which a party is entitled on one or more claims for relief in the action. Such relief can include dismissal with or without prejudice. A judgment should not contain a recital of pleadings, the report of a master, the record of prior proceedings, courts legal reasoning, findings of fact, or conclusions of law. A judgment is final if either it is a partial judgment that has been certified as final pursuant to Rule 804 or judgment has been entered on all claims for relief, except costs and fees, asserted by or against all parties in the action. A judgment or partial judgment should begin with the words "JUDGMENT IS ENTERED AS FOLLOWS:" and it should not contain any other wording between those words and the caption. A judgment can include any findings of fact or conclusions of law expressly required by statute, rule, or regulation.

B. Judgments in proceedings to modify child custody, child support and spousal maintenance. An order granting or denying a motion to modify a child custody, child support, or spousal maintenance provision in a prior judgment shall not be final until an appropriate judgment granting or denying relief regarding such motion has been entered. If the motion is granted, the court must enter a judgment setting forth the modification to the prior judgment, but the judgment granting the modification need not include the provisions in the prior judgment that were not modified. If the motion is denied, the court must enter a judgment denying the requested modification. In either case, the judgment regarding the motion to modify may identify and refer to the prior judgment.

C. Entry of judgment. Subject to the provisions of Rule 804: (1) upon a decision by the court that a party shall recover only a sum certain or costs or that all relief shall be denied, the court shall sign the judgment and the judgment shall be entered by the judge or clerk; (2) upon a decision by the court granting other relief, the court shall approve the form and sign the judgment, and the judgment shall be entered by the judge or the clerk. Every judgment and amended judgment shall be set forth on a separate document as required in Rule 803.A. The filing of a judgment by the court as provided in Rule 205.E. or the placing of the clerk's filing stamp on the judgment constitutes the entry of the judgment; and the judgment is not effective before such entry. The entry of the judgment shall not be delayed for the taxing of costs.

(Adopted April 2, 2014, effective for early adopters July 1, 2014, effective statewide July 1, 2015, amended April 2, 2015, effective April 15, 2015; amended April 10, 2015, effective April 10, 2015; amended April 27, 2016, effective July 1, 2016.)

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