

In the Supreme Court of the State of Idaho

IN RE: ADOPTION OF IDAHO RULE)
OF CIVIL PROCEDURE 69.2. DEPOSITION)
IN AID OF ENFORCING JUDGMENT)

ORDER

The Court, having reviewed a recommendation to amend the Idaho Rules of Civil Procedure (I.R.C.P.), and being fully informed:

IT IS ORDERED that I.R.C.P. Rule 69.2. Deposition in Aid of Enforcing Judgment is ADOPTED as follows:

Idaho Rules of Civil Procedure Rule 69.2. Deposition in Aid of Enforcing Judgment.

(a) **In General.** After the return of a writ of execution that does not fully satisfy a judgment debt, the judgment creditor may move for permission to depose the judgment debtor in aid of enforcing the judgment and to require the judgment debtor to produce at the deposition, documents and things that bear on the judgment debtor's ability to satisfy the judgment debt. Upon such a motion, the presiding judge shall order the judgment debtor to appear for a deposition and to produce at the deposition, as the presiding judge considers appropriate, documents and things that bear on the judgment debtor's ability to satisfy the judgment.

(b) **Deposition of a Judgment Debtor Who Resides in the County.** If the judgment debtor resides in the county in which the judgment was obtained, the presiding judge may order that the deposition be held (1) at the county courthouse, (2) at another location arranged by the judgment creditor, or (3) by video conference. In any of these instances, the presiding judge or a judge designated by the presiding judge may appear, administer the oath, and officiate by video conference.

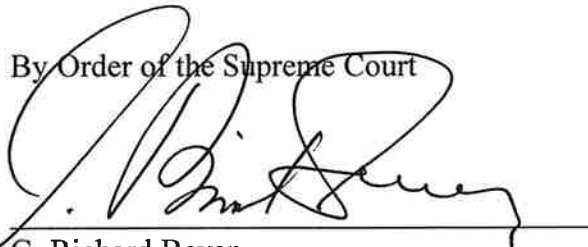
(c) **Deposition of a Judgment Debtor Who Resides Outside the County.** If the judgment debtor resides outside the county in which the judgment was obtained, the presiding judge may order that the deposition be held (1) at a location arranged by the judgment creditor in the county in which the judgment debtor resides, or (2) by video conference. In either instance, the presiding judge or a judge designated by the presiding judge may appear, administer the oath, and officiate by video conference.

IT IS FURTHER ORDERED that this order and these amendments shall be effective upon the signing of this order.

IT IS FURTHER ORDERED that the above designation of the striking of words from the Rules by lining through them, and the designation of the addition of new portions of the Rules by underlining such new portion is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through and underlining shall not be considered a part of the permanent Idaho Rules of Civil Procedure.

IT IS FURTHER ORDERED, that notice of this Order shall be published for three consecutive weeks on the Idaho State Bar's website and in its weekly E-Bulletin, and that as soon as practicable, a summary of the amendment(s) effected by this Order shall be published in one issue of *The Advocate*.

DATED this 25th day of March 2025.

By Order of the Supreme Court

G. Richard Bevan
Chief Justice, Idaho Supreme Court

ATTEST: 
Melanie Gagnepain, Clerk

I, Melanie Gagnepain, Clerk of the Supreme Court/
Court of Appeals of the State of Idaho, do hereby
Certify that the above is a true and correct copy of the
Order entered in the above entitled
cause and now on record in my office. WITNESS my
hand and the Seal of this Court 3-26-25
Melanie Gagnepain, Clerk

By  Deputy