



I.R.C.P. 33. Interrogatories to Parties

Idaho Rules of Civil Procedure Rule 33. Interrogatories to Parties.

(a) In General.

(1) *Number.* Unless otherwise stipulated or ordered by the court for good cause allowing a specific additional number of interrogatories, a party may serve on any other party no more than 40 written interrogatories, including all discrete subparts.

(2) *Scope.* An interrogatory may relate to any matter that may be inquired into under Rule 26(b). An interrogatory is not objectionable merely because it asks for an opinion or contention that relates to fact or the application of law to fact, but the court may order that the interrogatory need not be answered until designated discovery is complete, or until a pretrial conference or some other time.

(3) *When May be Served.* Interrogatories may be served on the plaintiff after commencement of the suit and upon any other party with or after service of the summons and complaint.

(b) Answers and Objections.

(1) *Responding Party.* The interrogatories must be answered:

(A) by the party to whom they are directed; or

(B) if that party is a public or private corporation, a partnership, an association, or a governmental agency, by any officer or agent, who must furnish the information available to the party.

(2) *Time to Respond.* The responding party must serve its answers and any objections within 30 days after being served with the interrogatories. A shorter or longer time may be stipulated to under Rule 29 or be ordered by the court.

(3) *Answering Each Interrogatory.* Each interrogatory must, to the extent it is not objected to, be answered separately and fully in writing under oath. The answers must first set forth each interrogatory asked, followed by the answer or



objection.

(4) *Objections.* The grounds for objecting to an interrogatory must be stated with specificity. Any ground not stated in a timely objection is waived unless the court, for good cause, excuses the failure.

(5) *Signature.* The person who makes the answers must sign them, and the attorney who objects must sign any objections.

(c) Use.

(1) *In General.* An answer to an interrogatory may be used to the extent allowed by the Idaho Rules of Evidence.

(2) *Use of Interrogatories with the Court.* If interrogatories or answers to them are to be used at trial or in support or opposition to any motion, only the portion of the interrogatory or answer relied should be submitted to the court. Unless a genuine issue of authenticity is raised, a party may submit excerpts from copies of the original interrogatories or answers and is not required to submit the originals to the court.

(d) Option to Produce Business Records. If the answer to an interrogatory may be determined by examining, auditing, compiling, abstracting, or summarizing a party's business records (including electronically stored information), and if the burden of deriving or ascertaining the answer will be substantially the same for either party, the responding party may answer by:

(1) specifying the records that must be reviewed, in sufficient detail to enable the interrogating party to locate and identify them as readily as the responding party could; and

(2) giving the interrogating party a reasonable opportunity to examine and audit the records and to make copies, compilations, abstracts, or summaries.

(e) Non-Filing; Notice of Serving.

(1) *Non-Filing.* Neither the interrogatories nor the answers are to be filed with the court. The propounding party must maintain the original interrogatories and the original answers, along with the original proof of service for 1 year following the final disposition of the action and expiration of any period for appeal, unless the court orders that they be retained for a longer period.



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(2) *Notice of Serving.* The party serving interrogatories and answers to them must file with the court a notice of when and upon whom it was served.

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