



I.R.C.P. 4.1. General or Special Appearance

Idaho Rules of Civil Procedure Rule 4.1. General or Special Appearance.

(a) General Appearance. The voluntary appearance of a party or service of any pleading by the party, except as provided in subsection (b) of this Rule, constitutes voluntary submission to the personal jurisdiction of the court.

(b) Motion or Special Appearance to Contest Personal Jurisdiction. The following do not constitute a voluntary appearance by a party under this Rule:

- (1) a motion under Rule 12(b)(2), (4) or (5), whether raised before or after judgment;
- (2) a motion under Rule 40(a) or (b);
- (3) a motion for an extension of time to answer or otherwise appear;
- (4) the joinder of other defenses in a motion under Rule 12(b)(2), (4) or (5);
- (5) a response to discovery or to a motion filed by another party after a party files a motion under Rule 12(b)(2), (4) or (5), action taken by that party in responding to discovery or to a motion filed by another party;
- (6) pleading further and defending an action by a party whose motion under Rule 12(b)(2), (4), or (5) is denied; or
- (7) filing a document entitled "special appearance," which does not seek relief but merely provides notice that the party is entering a special appearance to contest personal jurisdiction, if a motion under Rule 12(b)(2), (4), or (5) is filed within fourteen (14) days after filing the special appearance, or within such later time as the court permits.

(Adopted March 1, 2016, effective July 1, 2016; amended September 9, 2016, effective September 9, 2016.)

Source URL: <https://isc.idaho.gov/ircp4.1-new>