



IRFLP 701 Purposes, Matters for Consideration, and Sanctions at any Scheduling, Status, or Pretrial Conference.

Idaho Rules of Family Law Procedure Rule 701. Purposes, Matters for Consideration, and Sanctions at any Scheduling, Status, or Pretrial Conference.

(a) **Purpose.** The court may order the attorneys and any unrepresented parties to appear for one or more scheduling, status, or pretrial conferences to:

- (1) expedite the disposition of the action;
- (2) establish early and continuing management to avoid unnecessary delay and discourage wasteful pretrial activities;
- (3) improve the quality of the trial through more thorough preparation;
- (4) facilitate the settlement of the case; or
- (5) discuss possible alternative dispute resolution.

(b) **Matters for Consideration.** At any conference, the court may:

- (1) calendar and discuss future court dates;
- (2) establish a reasonable limit on the time allowed to present evidence;
- (3) identify the need for an interpreter or special accommodations;



- (4) refer the case to Family Court Services;
- (5) order alternative dispute resolution;
- (6) address necessary amendments to the pleadings;
- (7) identify and simplify the issues, including eliminating frivolous claims or defenses;
- (8) take action to avoid unnecessary proof and cumulative evidence;
- (9) identify witnesses and documents;
- (10) appoint a court expert, evaluator, parenting coordinator, receiver, or master;
- (11) appoint an attorney for the child;
- (12) discuss trial planning and pretrial orders;
- (13) discuss and dispose of potential pretrial motions;
- (14) adopt special procedures for managing actions that may involve complex issues, multiple parties, difficult legal questions, or unusual proof problems;
- (15) discuss other matters to help resolve the action;
- (16) consider potential sanctions;
- (17) facilitate in other ways the just, speedy, and inexpensive disposition of the action; or



(18) issue any appropriate orders.

(c) **Sanctions.**

(1) **Grounds.** The court may sanction any party or attorney if a party or attorney:

(A) fails to obey a scheduling or pretrial order;

(B) fails to appear at a scheduling, status, or pretrial conference;

(C) is substantially unprepared to participate in a scheduling, status, or pretrial conference; or

(D) fails to participate in good faith.

(2) **Sanctions Allowed.** The court may make such orders as are just and may, along with any other sanction, make any of the orders allowed under Rule 417. Additionally, the court must require the party or the party's attorney, or both, to pay any expenses incurred because of noncompliance with this rule, including attorney fees, unless the court finds noncompliance was justified or that awarding such expenses would be unjust.

(Adopted March 29, 2021, effective July 1, 2021.)

Source URL: <https://isc.idaho.gov/irflp701>