

In the Supreme Court of the State of Idaho

IN RE: AMENDMENT OF IDAHO)
RULES OF CIVIL PROCEDURE (I.R.C.P.) ORDER
_____)

Upon recommendation of the Civil Rules Update Committee and the Civil Rules Advisory Committee the following amendments are approved in anticipation of a new edition of the Idaho Civil Rules of Procedure.

(PLEASE NOTE: The formatting, language, and occasionally the subsection number, reflect the new format and work of the Civil Rules Update Committee and the underlining is in an effort to illustrate a substantive change.)

1. Amend Rule 11 as follows:

Rule 11. Signing Pleadings, Motions, and Other Papers; Representations to the Court; Sanctions

(a) **Signature.** Every pleading, written motion, and other paper must be signed by at least one attorney of record licensed in the State of Idaho, in the individual attorney's name, or by a party personally if the party is unrepresented. The paper must state the signer's address, e-mail address, and telephone number. Unless a rule or statute specifically states otherwise, a pleading need not be verified or accompanied by an affidavit. The court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney's or party's attention.

(b) **Representations to the Court.** By presenting to the court a pleading, written motion, or other paper, whether by signing, filing, or submitting, or later advocating it, an attorney or unrepresented party certifies that to the best of the person's knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

- (1) it is not being presented for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation;
- (2) the claims, defenses, and other legal contentions are warranted by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law or for establishing new law;

- (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and
- (4) the denials of factual contentions are warranted on the evidence or, if specifically so identified, are reasonably based on belief or a lack of information.

(c) Sanctions.

- (1) *In General.* If, after notice and a reasonable opportunity to respond, the court determines that Rule 11(b) has been violated, the court must impose an appropriate sanction on any attorney, law firm, or party that violated the rule or is responsible for the violation. A law firm may be held jointly responsible for a violation committed by its partner, associate, or employee.
- (2) *Motion for Sanction.* A motion for sanctions must be made separately from any other motion and must describe the specific conduct that allegedly violates Rule 11(b). The motion must be served under Rule 5, but it must not be filed or be presented to the court if the challenged paper, claim, defense, contention, or denial is withdrawn or appropriately corrected within 21 days after service or within another time the court sets. If warranted, the court may award to the prevailing party on the motion, reasonable expenses, including attorney's fees and costs incurred for the motion.
- (3) *On the Court's Initiative.* On its own, the court may order an attorney, law firm, or party to show cause why conduct specifically described in the order has not violated Rule 11(b).
- (4) *Nature of the Sanction.* The sanction imposed under this rule may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion, or other paper, including a reasonable attorney's fee. The sanction may also include nonmonetary directives.
- (5) *Vexatious Litigant.* In addition to any other sanction available under this rule, the court may also refer to the administrative district judge the question of whether to declare a person to be a vexatious litigant pursuant to Idaho Court Administrative Rule 59 and for relief under that rule.
- (6) *Requirements for an Order.* An order imposing a sanction must describe the sanctioned conduct and explain the basis for the sanction.

(d) Inapplicability to Discovery. This rule does not apply to disclosures and discovery requests, responses, objections, and motions under Rules 26 through 37.

2. Amend Rule 11.2(a)(2) on Successive Applications for Orders or Writs; Motions for Reconsideration as follows:

Rule 11.2. Successive Applications for Orders or Writs; Motions for Reconsideration

(a) Successive Applications.

- (1) *In General.* In any action, if an application for any order or writ is denied in whole or in part, neither the party nor the party's attorney may make any subsequent application to any other judge, except by appeal to a higher court.
- (2) *Second Order Vacated; Sanctions.* A writ or order obtained in violation of this section must be immediately vacated by the judge who issued it. The court must sanction a party and the attorney seeking an order or writ in violation of this rule as it may determine appropriate, including by assessing costs and attorney's fees incurred by a party in defense of the writ or order.
- (3) *Constitutional Writ After Disclosure Allowed.* A second application seeking a constitutional writ may be made if the first application and adverse ruling on the application are disclosed to the second judge. Likewise a constitutional writ may be sought from the same judge, or judge succeeding the same judge, in an action after the application was originally denied.
- (4) *Application to the Same Judge or Successor.* A party or attorney may renew an application to the same judge, or a succeeding judge, in an action after the application was originally denied; but this rule does not create the right to file a motion for reconsideration except as provided in subsection (b) of this rule.

(b) Motion for Reconsideration.

- (1) *In General.* A motion to reconsider any order of the trial court entered before final judgment may be made at any time prior to or within 14 days after the entry of a final judgment.
- (2) *Certain Orders not Subject to Reconsideration.* No motion to reconsider an order of the trial court entered on any motion filed under Rules 50(a), 52(b), 55(c), 59(a), 59(e), 59.1, 60(a), or 60(b) may be made.

3. Amend Rule 12(a)(2)(B) as follows:.

Rule 12. Defenses and Objections: When and How Presented; Motion for Judgment on the Pleadings; Consolidating Motions; Waiving Defenses; Hearings Before Trial

(a) Time to Serve a Responsive Pleading.

- (1) *In General.* Unless another time is specified by rule or statute, the time for serving a responsive pleading is as follows:
 - (A) a defendant must serve an answer within 21 days after being served with the summons and complaint;
 - (B) a party must serve an answer to a counterclaim or crossclaim within 21 days after being served with the pleading that states the counterclaim or crossclaim;
 - (C) a party must serve a reply to an answer 21 days after being served with an order to reply, unless the court specifies a different time.

(2) *Effect of a Motion.* Unless the court sets a different time, serving a motion under this rule alters these periods as follows:

- (A) if the court denies the motion or postpones its disposition until trial, the responsive pleading must be served within 14 days after notice of the court's action; or
- (B) if the court grants a motion for a more definite statement, the responsive pleading must be served within 14 days after the more definite statement is served. ~~In either case the time for service of the responsive pleading shall not be less than remains of the time which would have been allowed under these rules if the motion had not been made.~~

4. Amend Rule 12(e) as follows:

(e) Motion for a More Definite Statement. A party may move for a more definite statement of a pleading to which a responsive pleading is allowed but which is so vague or ambiguous that the party cannot reasonably prepare a response. The motion must be made before filing a responsive pleading and must point out the defects complained of and the details desired. If the court orders a more definite statement and the order is not obeyed within 14 days after notice of the order or within the time the court sets, the court may strike the pleading or issue any other appropriate order. ~~In actions on an account it shall be sufficient to summarize all transactions on the account, and the obligor of the account shall have no right to demand a written copy of the accounting except as may be ordered by Rule 34 of these rules.~~

5. Amend Rule 16 by adding new subsection (b) as follows:

(b) Request for Trial Setting by a Party.

- (1) *In General.* Should the court fail to set the matter for scheduling conference or otherwise to set the matter for trial, after all defendants have appeared, a party may request that the court set the matter for trial and that any other deadlines and pretrial conferences be established.
- (2) *Information to be Included.* The request must indicate:
 - (A) the nature of the case;
 - (B) whether a jury trial has been demanded;
 - (C) whether referral to alternative dispute resolution would be beneficial;
 - (D) an estimate of the time required for trial;
 - (E) the name of the attorney who will appear at trial; and
 - (F) the dates upon which the attorney and party would not be available for trial.

- (3) *Response to the Request by Other Parties.* A response must be filed and served within 7 days after being served with the request for trial setting. The response must contain the information required in subsection-(b)(2) of this rule.
- (4) *Action by the Court.* After the time for filing a response to the request has passed, the court must either issue a scheduling order pursuant to subsection-(a)(2) of this rule or set the request for hearing.

6. Amend Rule 26(b)(1)(B) and (C) as follows:

(b) Discovery Scope and Limits.

(1) *In General.*

- (A) **General Scope of Discovery.** Unless otherwise limited by court order, the scope of discovery is as follows: Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claim or defense, including the existence, description, nature, custody, condition, and location of any documents or other tangible things and the identity and location of persons who know of any discoverable matter. For good cause, the court may order discovery of any matter relevant to the subject matter involved in the action. Relevant information need not be admissible at the trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence.
- (B) **Limits on Electronically Stored Information.** A party need not provide discovery of electronically stored information from sources that the party identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the party from whom discovery is sought must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(1)(C). The court may specify conditions for the discovery.
- (C) **Limits on Frequency and Extent of Discovery.** Unless limited by these rules or the court orders otherwise, the frequency of use of discovery is not limited. On motion or on its own, the court must limit the frequency or extent of discovery otherwise allowed by these rules if it determines that:
 - (i) the discovery sought is unreasonably cumulative or duplicative, or can be obtained from some other source that is more convenient, less burdensome, or less expensive;
 - (ii) the party seeking discovery has had ample opportunity to obtain the information by discovery in the action; or
 - (iii) the burden or expense of the proposed discovery outweighs its likely benefit, considering the needs of the case, the amount in controversy,

the parties' resources, the importance of the issues at stake in the action, and the importance of the discovery in resolving the issues.

7. Amend Rule 26(b)(5)(B) as follows:

(5) *Claiming Privilege or Protecting Trial-Preparation Materials.*

(A) Information Withheld. When a party withholds information otherwise discoverable by claiming that the information is privileged or subject to protection as trial-preparation material, the party must:

- (i) expressly make the claim; and
- (ii) describe the nature of the documents, communications, or tangible things not produced or disclosed, and do so in a manner that, without revealing information itself privileged or protected, will enable other parties to assess the claim.

(B) Information Produced. If information produced in discovery is subject to a claim of privilege or of protection as trial-preparation material, the party making the claim may notify any party that received the information of the claim and the basis for it, and must preserve the information until the claim is resolved. After being notified, a party:

- (i) must promptly return, sequester, or destroy the specified information and any copies it has;
- (ii) must not use or disclose the information until the claim is resolved;
- (iii) must take reasonable steps to retrieve the information if the party disclosed it before being notified; and
- (iv) may promptly present the information to the court under seal for a determination of the claim.

8. Amend Rule 26(c) as follows:

(c) Protective Orders.

- (1) *In General.* A party or any person from whom discovery is sought may move for a protective order in the court where the action is pending, or as an alternative on matters relating to a deposition, in the court where the deposition will be taken. The motion must include a certification that the movant has in good faith conferred or attempted to confer with other affected parties in an effort to resolve the dispute without court action. The court may, for good cause, issue an order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense, including one or more of the following:

9. Amend Rule 26(f) as follows:

(f) Signing Discovery Requests, Responses and Objections.

(1) *Signature Required; Effect of Signature.* Every discovery request, response, or objection must be signed by at least one attorney of record in the attorney's own name, or by the party personally, if unrepresented, and must state the signer's address and e-mail address. By signing, an attorney or party certifies that to the best of the person's knowledge, information, and belief formed after a reasonable inquiry:

(A) with respect to a statement of fact, it is complete and correct as of the time it is made; and

10. Amend Rule 29 as follows:

Rule 29. Stipulations About Discovery Procedure

Unless the court orders otherwise, the parties may stipulate that:

- a deposition may be taken before any person, at any time or place, on any notice, and in the manner specified, in which event it may be used in the same way as any other deposition; and
- other procedures governing or limiting discovery be modified, but a stipulation extending the time for any form of discovery must have court approval if it would interfere with the time set for trial or court approval is required by other order of the court.

11. Amend Rule 30(b)(3) and (5) as follows:

(b) Notice of the Deposition; Other Formal Requirements.

(1) *Notice in General.* A party who wants to depose a person by oral questions must give reasonable written notice to every other party. The notice must state the time and place of the deposition. The court may for cause shown enlarge or shorten the time for taking the deposition. If known, the notice must state the deponent's name and address. If the name of the deponent is unknown, the notice must provide a general description sufficient to identify the person or the particular class or group to which the person belongs.

(2) *Producing Documents.* If a subpoena duces tecum is to be served on the deponent, the materials designated for production, as set out in the subpoena, must be listed in the notice or in an attachment. The notice to a party deponent may be accompanied by a request under Rule 34 to produce documents and tangible things at the deposition, and the procedures of Rule 34 will apply to the request.

(3) *Method of Recording.*

- (A) **Method Stated in the Notice.** The party who notices the deposition must state in the notice the method for recording the testimony. Unless the court orders otherwise, testimony may be recorded by audio or audiovisual means, but must also be simultaneously recorded by stenographic means, as provided by Rule 30.1.
- (B) **Additional Method.** With prior notice to the deponent and other parties, any party may designate another method for recording the testimony in addition to that specified in the original notice. That party bears the expense of the additional record or transcript unless the court orders otherwise.
- (4) **By Remote Means.** The parties may stipulate, or the court may on motion order, that a deposition be taken by telephone or other remote means. For the purpose of this rule and Rules 28(a), 37(a)(2), 37(b)(1), and 45(f)(2), the deposition takes place where the deponent answers the questions.
- (5) **Officer's Duties.**
 - (A) **Before the Deposition.** Unless the parties stipulate otherwise, a deposition must be conducted before an officer appointed or designated under Rule 28. The officer should begin the deposition with an on-the-record statement that includes:
 - (i) the officer's name and business address;
 - (ii) the date, time, and place of the deposition;
 - (iii) the deponent's name;
 - (iv) the officer's administration of the oath or affirmation to the deponent; and
 - (v) the identity of all persons present.
 - (B) **After the Deposition.** At the end of a deposition, the officer must state on the record that the deposition is complete and must set out any stipulations made by the attorneys about custody of the transcript or recording and of the exhibits, or about any other pertinent matters.

12. Amend Rule 30(d) as follows:

(d) Objections; Conduct; Sanction; Motion to Terminate or Limit Examination.

- (1) **Objections.** An objection must be stated concisely in a nonargumentative and nonsuggestive manner. A person may instruct a deponent not to answer only when necessary to preserve a privilege, to enforce a limitation ordered by the court, or to present a motion under Rule 30(d)(4).

13. Amend Rule 30(f)(4) as follows:

(f) Certification and Delivery; Exhibits; Copies of the Transcript or Recording; Notice of Completion; Inspection and Use.

- (4) *Notice of Completion.* Upon completion of the transcript and delivery of it to the party noticing the deposition, the officer who prepared the transcript must promptly notify all the parties or their attorneys that the transcript has been completed and provided to the party noticing it. ~~The officer who prepared the transcript shall also file with the court notice stating when the original transcript was completed and mailed, the name and address of the attorney receiving the original transcript, and the name(s) and address(es) of all person(s) receiving copies thereof.~~

14. Amend Rule 31(a) as follows:

Rule 31. Depositions by Written Questions

(a) When a Deposition May Be Taken.

- (1) *Without Leave.* A party may, by written questions, depose any person, including a party, without leave of court except as provided in Rule 31(a)(2). The deponent's attendance may be compelled by subpoena under Rule 45.
- (2) *With Leave.* A party must obtain leave of court, and the court must grant leave to the extent consistent with Rule 26(b)(1)(C) if:
- (A) the parties have not stipulated to the deposition and the deponent has already been deposed in the case; or
- (B) the deponent is confined in prison.

15. Amend Rule 33(c) as follows:

Rule 33. Interrogatories to Parties

(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. Interrogatories and responses thereto which have been submitted to the court pursuant to this Rule shall be returned to appropriate counsel after final disposition of the case.

16. Amend Rule 36(d) as follows:

(d) Use of Admissions with the Court. If admissions are to be used at trial or in support or opposition to any motion, only the portion of the admissions 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 admissions or answers and is not required to submit the originals to the court. ~~Requests for admission and responses thereto, which have been submitted to the court pursuant to this rule shall be returned to appropriate counsel after final disposition of the case.~~

17. Amend Rule 37(a)(5) as follows:

Rule 37. Failure to Cooperate in Discovery; Sanctions

(a) Motion for an Order Compelling Disclosure or Discovery.

(5) Payment of Expenses; Protective Orders.

(A) If the Motion Is Granted (or Discovery Is Provided After Filing). If the motion is granted, or if the requested discovery is provided after the motion was filed, the court must, after giving an opportunity to be heard, require the party or deponent whose conduct necessitated the motion, the party or attorney advising that conduct, or both to pay the movant's reasonable expenses incurred in making the motion, including attorney's fees. But the court must not order this payment if:

- (i) the movant filed the motion before attempting in good faith to obtain the disclosure or discovery without court action;
- (ii) the opposing party's nondisclosure, response, or objection was substantially justified; or
- (iii) other circumstances make an award of expenses unjust.

18. Add a new Rule 37(c) as follows:

(c) Failure to Disclose, to Supplement an Earlier Response, or to Admit.

(1) Failure to Disclose or Supplement. If a party fails to supplement discovery responses when required or fails to comply with a disclosure requirement ordered by the court pursuant to a Rule 16 scheduling or pre-trial order, the party is not allowed to use that information or witness to supply evidence on a motion, at a hearing, or at a trial, unless the failure was substantially justified or is harmless. In addition to or instead of this sanction, the court, on motion and after giving an opportunity to be heard:

(A) may order payment of the reasonable expenses, including attorney's fees, caused by the failure; and

(B) may impose other appropriate sanctions, including any of the orders listed in Rule 37(b)(2)(A)(i)-(vi).

19. Add a new Rule 37(e) as follows:

(e) Failure to Provide Electronically Stored Information. Absent exceptional circumstances, a court may not impose sanctions under these rules on a party for failing to provide electronically stored information lost as a result of the routine, good-faith operation of an electronic information system.

20. Amend Rule 40.1 as follows:

Rule 40.1. Change of Venue

(a) Motion for Change of Venue. A judge may change venue only upon motion by any party.

(1) *Discretionary.* A judge may grant a change of venue or change the place of trial to another county as provided by statute or when it appears by affidavit or other satisfactory proof that:

(A) there is reason to believe that an impartial trial cannot be had in the county in which the action is filed, or

(B) the convenience of witnesses and the ends of justice would be promoted by the change.

(2) *Mandatory.* The judge must change the venue of a trial when it appears by affidavit or other satisfactory proof that the county designated in the complaint is not the proper county, which motion must be made no later than 14 days after the party files a responsive pleading.

(3) *Objection to Change of Venue.* Upon a motion for change of venue under subsection (2), the court may consider an objection based upon subsections (1)(A) or (B). The court may deny an otherwise proper motion for change of venue under section (2) if it finds that an impartial trial cannot be had in the proper venue or that the convenience of witnesses and the ends of justice would be promoted by retaining jurisdiction in the county where the action is filed.

(4) *Sanctions.* When a judge grants a motion for change of venue pursuant to subsection (2), the court may assess sanctions against the party who filed the action or the party's attorney if the court finds that the action was filed in the improper venue without good cause.

21. Amend Rule 43 as follows:

Rule 43. Taking Testimony

(a) **In Open Court.** At trial, the witnesses' testimony must be taken in open court unless a statute, these rules, the Idaho Rules of Evidence or other rules adopted by the Idaho Supreme Court provide otherwise. For good cause in compelling circumstances and with appropriate safeguards, the court may permit testimony in open court by contemporaneous transmission from a different location.

22. Amend Rule 55 (b)(1) as follows:

(b) Entering a Default Judgment.

(1) *For Sum Certain.* If a claim is for a sum certain or a sum that can be made certain by computation, the court ~~or the clerk thereof~~, on the claimant's request, with an affidavit showing the amount due, must order judgment for that amount and costs against the party who has been defaulted for not appearing and who is neither a minor nor an incompetent person.

23. Amend Rule 66 as follows:

Rule 66. Sureties on Bond

(a) **Form of Bond and Justification of Sureties.** If a bond or undertaking is required to be given by statute or these rules, the general form and the justification of the sureties must be in accordance with chapter 6 of title 12, Idaho Code.

(b) **Attorney Not Acceptable as Surety.** No attorney will be accepted as surety on any bond or undertaking furnished in any action or proceeding in which the attorney appears as an attorney of record, or is a member or associate of a firm or corporation that appears as the attorneys of record.

Whenever these rules require or allow a party to give security, and security is given through a bond or other undertaking with one or more sureties, each surety submits to the court's jurisdiction and irrevocably appoints the court clerk as its agent for receiving service of any papers that affect its liability on the bond or undertaking. The surety's liability may be enforced on motion without an independent action. The motion and any notice that the court orders may be served on the court clerk, who must promptly mail a copy of each to every surety whose address is known.

24. Amend Rule 77 (e) and add new subsections (g) and (h) as follows:

Rule 77. Class Actions

(e) **Settlement, Voluntary Dismissal, or Compromise.** The claims, issues, or defenses of a certified class may be settled, voluntarily dismissed, or compromised only with the court's approval. The following procedures apply to a proposed settlement, voluntary dismissal, or compromise:

- (1) the court must direct notice in a reasonable manner to all class members who would be bound by the proposal;
- (2) if the proposal would bind class members, the court may approve it only after a hearing and on finding that it is fair, reasonable, and adequate;
- (3) the parties seeking approval must file a statement identifying any agreement made in connection with the proposal;
- (4) if the class action was previously certified under subdivision (b)(3), the court may refuse to approve a settlement unless it affords a new opportunity to request exclusion to individual class members who had an earlier opportunity to request exclusion but did not do so;
- (5) any class member may object to the proposal if it requires court approval under this subdivision (e); the objection may be withdrawn only with the court's approval.

(f) **RESERVED**

(g) **Class Counsel.**

- (1) Appointing Class Counsel. Unless a statute provides otherwise, a court that certifies a class must appoint class counsel. In appointing class counsel, the court:
 - (A) must consider:
 - (i) the work counsel has done in identifying or investigating potential claims in the action;
 - (ii) counsel's experience in handling class actions, other complex litigation, and the types of claims asserted in the action;
 - (iii) counsel's knowledge of the applicable law; and
 - (iv) the resources that counsel will commit to representing the class;
 - (B) may consider any other matter pertinent to counsel's ability to fairly and adequately represent the interests of the class;

- (C) may order potential class counsel to provide information on any subject pertinent to the appointment and to propose terms for attorney's fees and nontaxable costs;
- (D) may include in the appointing order provisions about the award of attorney's fees or nontaxable costs under Rule 23(h); and
- (E) may make further orders in connection with the appointment.
- (2) Standard for Appointing Class Counsel. When one applicant seeks appointment as class counsel, the court may appoint that applicant only if the applicant is adequate under Rule 23(g)(1) and (4). If more than one adequate applicant seeks appointment, the court must appoint the applicant best able to represent the interests of the class.
- (3) Interim Counsel. The court may designate interim counsel to act on behalf of a putative class before determining whether to certify the action as a class action.
- (4) Duty of Class Counsel. Class counsel must fairly and adequately represent the interests of the class
- (h) **Attorney's Fees and Nontaxable Costs.** In a certified class action, the court may award reasonable attorney's fees and nontaxable costs that are authorized by law or by the parties' agreement. The following procedures apply:
 - (1) a claim for an award must be made by motion under Rule 54, subject to the provisions of this subdivision (h), at a time the court sets. Notice of the motion must be served on all parties and, for motions by class counsel, directed to class members in a reasonable manner;
 - (2) a class member, or a party from whom payment is sought, may object to the motion;
 - (3) the court may hold a hearing and must find the facts and state its legal conclusions under Rule 52(a);
 - (4) the court may refer issues related to the amount of the award to a special master.

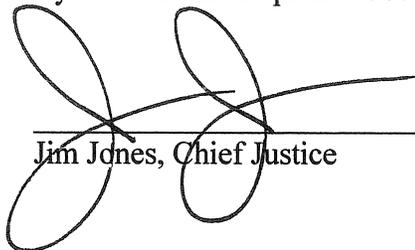
IT IS FURTHER ORDERED, that this order and these amendments shall be effective the first day of July, 2016.

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 the Clerk of the Court shall cause notice of this Order to be published in one issue of The Advocate.

DATED this 22nd day of December, 2015.

By Order of the Supreme Court



Jim Jones, Chief Justice

ATTEST: Stephen Kenyon
Clerk

i, Stephen W. Kenyon, Clerk of the Supreme Court 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 12.22.15

Stephen Kenyon

Clerk

By: Sina D. Thomas Deputy