In the Supreme Court of the State of Idaho

IN RE: AMENDMENTS OF IDAHO RULES OF CIVIL PROCEDURE (I.R.C.P.) 54(a) AND 58(a)	))))	**ORDER**

The Court having reviewed a recommendation from the Idaho Civil Rules Advisory Committee to amend Rule 54(a) and Rule 58(a) of the Idaho Rules of Civil Procedure, and the Court having approved the recommended amendments;

NOW, THEREFORE, IT IS HEREBY ORDERED that the Idaho Rules of Civil Procedure as they appear in the volume published by the Idaho Code Commission be, and they are hereby, amended as follows:

1. That Rule 54(a) be, and the same is hereby, repealed and the following adopted to read as follows:

Rule 54(a). Judgments - Definition - Form. "Judgment" as used in these rules ~~includes a decree and any order from which an appeal lies~~ means a separate document entitled "Judgment" or "Decree". A judgment shall state the relief to which a party is entitled on one or more claims for relief in the action. Such relief can include dismissal with or without prejudice. A judgment shall not contain a recital of pleadings, the report of a master, ~~or~~ the record of prior proceedings, the court's legal reasoning, findings of fact, or conclusions of law. A judgment is final if either it has been certified as final pursuant to subsection (b)(1) of this rule or judgment has been entered on all claims for relief, except costs and fees, asserted by or against all parties in the action.

2. That Rule 58(a) be, and the same is hereby, amended to read as follows:

Rule 58(a). Entry of judgment. Subject to the provisions of Rule 54(b): (1) upon a general verdict of a jury, or upon a decision by the court that a party shall recover only a sum certain or costs or that all relief shall be denied, the court shall sign the judgment and the judgment shall be entered by the judge or clerk; (2) upon a decision by the court granting other relief, or upon a special verdict or a general verdict accompanied by answers to interrogatories, the court shall approve the form and sign the judgment, and the judgment shall be entered by the judge or the clerk. Every judgment and amended judgment shall be set forth on a separate document as required in Rule 54(a). The filing of a judgment by the court as provided in Rule 5(e) or the placing of the clerk's filing stamp on the judgment constitutes the entry of the judgment; and the

judgment is not effective before such entry. The entry of the judgment shall not be delayed for the taxing of costs. The entry of judgment shall not be made in a divorce or annulment action unless and until the prevailing party furnishes to the clerk a completed certificate of divorce or annulment on a form furnished by the department of vital statistics. In addition, entry of judgment shall not be made as to any judgment that contains the obligation for one party to pay child support unless and until it is accompanied by the completed transmittal form to the Department of Health and Welfare.

IT IS FURTHER ORDERED, that this order shall be effective on the first day of July, 2010.

IT IS FURTHER ORDERED, that the above designation of the striking of words from the Rule by lining through them is for the purposes of information only as amended, and NO OTHER AMENDMENTS ARE INTENDED. The lining through 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 29 day of March, 2010.

By Order of the Supreme Court

Daniel T. Eismann
Chief Justice

ATTEST:

for Stephen W. 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 3/29/10

STEPHEN W. KENYON
Clerk

By: Deputy