I.R.C.P. 5.g. Service on Attorney-Legislator Suspended During Sessions - Emergency Provisions.

Idaho Rules of Civil Procedure Rule 5(g). Service on Attorney-Legislator Suspended During Sessions - Emergency Provisions.

During such time as any attorney shall be serving as a legislator or legislative attache while the legislature is in general or special session, the attorney shall not be required to attend in court at any trial or other proceeding, and in any pending matter in which the attorney appears as attorney of record, the time within which the attorney would normally be required to file any pleading or other paper shall be extended for a period of ten days following adjournment of such session of the legislature, provided, that such extension of time is not intended to, and shall not, toll or otherwise extend the running of any limitation period provided by statute and provided further, that upon motion by an aggrieved party or attorney, supported by appropriate affidavit, that an emergency exists or said party would be unduly prejudiced or irreparable damage would accrue, the court in which said action is pending may order, ex parte, such attorney to make appropriate arrangements to appear or for another member of the Idaho state bar to represent said attorney's clients in such pending matter, which said order shall be served upon the attorney by special delivery mail addressed to the attorney at the legislature.

(Amended April 18, 2003, effective July 1, 2003.)

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