

I.R.C.P. 11.a.2. Successive Applications for Orders or Writs - Motions for Reconsideration.

Idaho Rules of Civil Procedure Rule 11(a)(2). Successive Applications for Orders or Writs - Motions for Reconsideration.

(A) Successive Applications. In any action, if an application by any party to the judge of a court for the issuance of an order or writ is denied in whole or in part by such judge, neither the party nor the party's attorney shall make any subsequent application to any other judge except by appeal to a higher court; provided that a second application may be made for a constitutional writ after a disclosure of the first application has been made to the second judge. Any writ or order obtained in violation of this section shall be immediately vacated by the judge issuing the same upon discovery of the prior application to another judge, and the party and the attorney shall be subject to such costs and sanctions as the court may determine in its discretion. Nothing in this rule shall prevent a party or the attorney from renewing a motion or an application to the same judge, or a newly appointed judge, in an action after such motion or application was originally denied; but this provision and this rule shall not create the right to file a motion for reconsideration except as provided in subsection (B) of this rule. Nothing in this rule shall prevent a party or an attorney from renewing a motion or an application for a constitutional writ to the same judge, or a newly appointed judge, in an action after such motion or application was originally denied.

(B) Motion For Reconsideration. A motion for reconsideration of any interlocutory orders of the trial court may be made at any time before the entry of final judgment but not later than fourteen (14) days after the entry of the final judgment. A motion for reconsideration of any order of the trial court made after entry of final judgment may be filed within fourteen (14) days from the entry of such order; provided, there shall be no motion for reconsideration of 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).

(Adopted June 15, 1987, effective November 1, 1987; amended March 20, 1991, effective July 1, 1991.)

Source URL: <https://isc.idaho.gov/ircp11a2>