I.R.C.P. 33.a. Interrogatories to Parties - Availability - Procedures For Use.

Idaho Rules of Civil Procedure Rule 33(a). Interrogatories to Parties - Availability - Procedures For Use.

(1) Use of Interrogatories. Any party may serve upon any other party written interrogatories to be answered by the party served or, if the party served is a public or private corporation or a partnership or association or governmental agency, by any officer or agent, who shall furnish such information as is available to the party. Interrogatories may, without leave of court, be served upon the plaintiff after commencement of the action and upon any other party with or after service of the summons and complaint upon that party.

(2) Answers to Interrogatories. Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer. The answers are to be signed by the party to whom they are directed, and the objections may be signed by the attorney making them. The party upon whom the interrogatories have been served shall serve the original of the answers, and objections if any, within 30 days after the service of the interrogatories. The court may allow a shorter or longer time. The answers shall first set forth each interrogatory asked, followed by the answer or response of the party. The party submitting the interrogatories may move for an order under Rule 37(a) with respect to any objection to or other failure to answer any interrogatory.

(Amended March 17, 2006, effective July 1, 2006; amended April 2, 2014; effective July 1, 2014.)

(3) Number of Interrogatories. No party shall serve upon any other single party to an action more than forty (40) interrogatories, in which sub-parts of interrogatories shall count as separate interrogatories, without first obtaining a stipulation of such party to additional interrogatories or obtaining an order of the court upon a showing of good cause granting leave to serve a specific number of additional interrogatories.

(4) Not Filed with Court. The interrogatories and the response thereto shall not be filed with the court. The propounding party shall retain both the original of the interrogatories and theoriginal of the answers with the original proof of service affixed thereto, and the original of the sworn response until one (1) year after final disposition of the action. At that time, both originals may be destroyed, unless the court on motion of any party and for good cause shown orders that the originals be preserved for a longer period.

(5) Notice of Serving. The party serving either an interrogatory or a response thereto, shall file with the court a notice of when the interrogatory or response was served and upon whom.

(Amended December 27, 1979, effective July 1, 1980; amended March 30, 1988, effective July 1, 1988; amended February 26, 1997, effective July 1, 1997.)

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