I.R.C.P. 33.b. Scope - Use of Interrogatories at Trial or on Motions.

Idaho Rules of Civil Procedure Rule 33(b). Scope - Use of Interrogatories at Trial or on Motions.

(1) Interrogatories may relate to any matters which can be inquired into under Rule 26(b), and the answers may be used to the extent permitted by the Idaho Rules of Evidence.

An interrogatory otherwise proper is not necessarily objectionable merely because an answer to the interrogatory involves an opinion or contention that relates to fact or the application of law to fact, but the court may order that such an interrogatory need not be answered until after designated discovery has been completed or until a pre-trial conference or other later time.

(2) If interrogatories and responses thereto are to be used at trial or are to be used either in support of, or in opposition to, a pretrial or post-trial motion, only those portions to be used shall be submitted to the court at the outset of the trial or at the filing of the motion or response thereto insofar as their use can be reasonably anticipated by the party seeking to introduce such evidence. For purposes of this rule, and unless a genuine issue of authenticity is raised a moving party need not produce portions of the original interrogatories and responses thereto, but may rely on the submission of copies of the relevant original interrogatories and responses.

(3) 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.

(Amended March 20, 1985, effective July 1, 1985; amended March 30, 1988, effective July 1, 1988.)

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