



I.R.C.P. 40.c. Dismissal of Inactive Cases.

Idaho Rules of Civil Procedure Rule 40(c). Dismissal of Inactive Cases.

In the absence of a showing of good cause for retention, any action, appeal or proceeding, except for guardianships, conservatorships, and probate proceedings, in which no action has been taken or in which the summons has not been issued and served, for a period of six (6) months shall be dismissed. Dismissal pursuant to this rule in the case of appeals shall be with prejudice and as to all other matters such dismissal shall be without prejudice. At least 14 days prior to such dismissal, the clerk shall give notification of the pending dismissal to all attorneys of record, and to any party appearing on that party's own behalf, in the action or proceeding subject to dismissal under this rule.

(Amended effective March 1, 1976; amended effective July 1, 1977; amended March 24, 1982, effective July 1, 1982; amended June 15, 1987, effective November 1, 1987.)

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