# I.R.C.P. 45.b. Subpoena for Production or Inspection of Documents, Electronically Stored Information or Tangible Things, or Inspection of Premises.

Idaho Rules of Civil Procedure Rule 45(b). Subpoena for Production or Inspection of Documents, Electronically Stored Information or Tangible Things, or Inspection of Premises.

(1) A subpoena to attend a deposition, trial or hearing may command the person to whom it is directed to produce or permit inspection and copying of the books, papers, documents, electronically stored information or tangible things designated therein. If the subpoena is for a party to attend a deposition, the scope and procedure shall comply with Rule 34, and the party must be allowed at least 30 days to comply.

(2) A subpoena to command a person who is not a party to produce or to permit inspection and copying of documents, electronically stored information, or tangible things, or to permit inspection of premises may be served at any time after all parties have either appeared or have been defaulted, unless otherwise ordered. The party serving the subpoena shall serve a copy of the subpoena on the opposing party at least seven (7) days prior to service on the third party, unless otherwise specified by the court. The party serving the subpoenas shall pay the reasonable cost of producing or copying the documents, electronically stored information or tangible things. Upon the request of any other party and the payment of reasonable costs, the party serving the subpoena shall provide to the requesting party copies of all documents obtained in response to the subpoena.

(3) A person commanded to produce or permit inspection and copying of documents, electronically stored information or tangible things or to permit inspection of premises need not appear in person at the place of production or inspection unless also commanded to appear at trial, at hearing or at deposition.

(4) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

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