I.R.C.P. 4.i. General or Special Appearance.

Idaho Rules of Civil Procedure Rule 4(i) General or Special Appearance.

(1) General Appearance. The voluntary appearance of a party or service of any pleading by the party, except as provided in subsection (2) hereof, constitutes voluntary submission to the personal jurisdiction of the court.

(2) Motion or Special Appearance to Contest Personal Jurisdiction. A motion under Rule 12(b)(2), (4) or (5), whether raised before or after judgment, a motion under Rule 40(d)(1) or (2), or a motion for an extension of time to answer or otherwise appear does not constitute a voluntary appearance by the party under this rule. The joinder of other defenses in a motion under Rule 12(b)(2), (4) or (5) does not constitute a voluntary appearance by the party under this rule. After a party files a motion under Rule 12(b)(2), (4) or (5), action taken by that party in responding to discovery or to a motion filed by another party does not constitute a voluntary appearance. If, after a motion under Rule 12(b)(2), (4), or (5) is denied, the party pleads further and defends the action, such further appearance and defense of the action will not constitute a voluntary appearance under this rule. The filing of a document entitled ìspecial appearance,î which does not seek any relief but merely provides notice that the party is entering a special appearance to contest personal jurisdiction, does not constitute a voluntary appearance by the party under this rule if the party files a motion under Rule 12(b)(2), (4), or (5) within fourteen (14) days after filing such document, or within such later time as the court permits.

(Amended March 31, 1978, effective July 1, 1978; amended April 11, 1979, effective May 1, 1979; amended March 30, 1984, effective July 1, 1984; amended June 15, 1987, effective November 1, 1987; amended April 19, 1995, effective July 1, 1995; amended April 22, 2004, effective July 1, 2004; Amended March 24, 2005, effective July 1, 2005; amended February 9, 2012, effective July 1, 2012.)

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