# IRFLP 207 Form of Pleading

**Idaho Rules of Family Law Procedure Rule 207. Form of Pleading.**

Every pleading shall satisfy any statutory requirements and contain a caption setting forth the name of the court, the names of the parties, the title of the action, the file number, and the type of pleading. A party's designation as petitioner or respondent shall continue in all future proceedings, including proceedings to modify or enforce a judgment or decree and proceedings for contempt. When the name of the respondent is unknown to the petitioner, the respondent may be designated in the pleadings or proceeding by any name. When the respondent's true name is discovered, the pleading or proceeding may be amended accordingly.

A. Caption – name of parties. Every pleading, motion, notice, or judgment or order of the court shall be typed with black ribbon or produced by a computer or word processor type printer of letter quality on white paper and contain a caption setting forth the names of the parties, the title of the district court, together with the assigned number of the action, the designation of the document or pleading and the names, addresses and phone numbers of the attorneys appearing of record for the party filing the document or pleading and the typewritten name of the person signing the pleading. All pleadings, motions, notices, judgments, or other documents filed with the court shall be typed on 8 1/2 X 11 inch paper. The body of all such documents may be typed with double line spacing or one-and-one-half (1 1/2) line spacing with pica standard typing of not more than 10 letters to the inch. Every pleading shall have the name or designation thereof typed at the bottom of each page, and all attached exhibits must be legible and subject to reproduction by copying processes or be accompanied by a typewritten duplicate, and all handwritten exhibits shall be accompanied by a typewritten duplicate. In the petition the title of the action shall include the names of all of the parties, but in subsequent pleadings it is sufficient to state the name of the first party on each side with an appropriate indication of the other parties. The title of the court shall commence four (4) inches from the top of the first page. The name, address and telephone number of the attorney, or person appearing in propria persona, shall be typewritten or printed above the title of the court in the space to the left of the center of the page and beginning at least two (2) inches below the top edge thereof. The currently valid Idaho State Bar Number of the attorney shall be typewritten or printed immediately below the attorney's telephone number. Pleadings or motions requiring filing fees shall also contain designations of the category of the action, the nature of the document and filing fee category and filing fee prescribed by Appendix "A" to the Idaho Rules of Civil Procedure. Prisoners incarcerated or detained in a state prison or county jail may file documents under this rule that are legibly hand-printed in black ink, in whole or in part, that otherwise conform to the requirement of this rule. This rule does not apply to printed forms approved by the Supreme Court or the Administrative District Judge or distributed through the Court Assistance Office in the county where the lawsuit is pending. Such forms may be completed by legibly hand-printing in black ink or by typing.

B. Lost Papers. If an original pleading or paper be lost, the court may authorize a copy thereof to be filed and used instead of the original.

C. Language, abbreviation and numbers. Pleadings shall be in the English language. Such abbreviations as are in common use may be used, and numbers may be expressed by words or numerals in the customary manner.

D. Unknown party. When a party does not know the true name of the adverse party, that fact may be stated in the pleadings and the adverse party designated by any name and the words, "whose true name is unknown," and when the true name is discovered the pleading must be amended accordingly.

E. Paragraphs – separate statements. All statements of claim or defense shall be made in numbered paragraphs, the contents of each of which shall be limited as far as practicable to a statement of a single set of circumstances; and a paragraph may be referred to by number in all succeeding pleadings. Each claim founded upon a separate transaction or occurrence and each defense other than denials shall be stated in a separate count or defense whenever a separation facilitates the clear presentation of the matters set forth.

F. Adoption by reference; exhibits. Statements in pleading may be adopted by reference in a different part of the same pleading or in another pleading or in any motion. A copy of any written instrument which is an exhibit to a pleading is a part thereof for all purposes. All exhibits to pleadings must be legible, distinct and subject to clear copying by reproduction processes; and all exhibits not meeting this requirement, as well as all hand written exhibits, must be accompanied by a typewritten duplicate thereof at the time of filing.

*Pilot Project for Fourth Judicial District
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