IRFLP 705 Pre-trial Stipulation

Idaho Rules of Family Law Procedure Rule 705. Pre-trial Stipulation.

A. Stipulation in lieu of pre-trial conference. No later than three (3) days prior to the date set for the final pre-trial conference all parties to an action may file a written stipulation in lieu of the final pre-trial conference which shall include the following:

1. A statement that counsel have produced for examination by all other parties all exhibits required to be produced at a pre-trial conference, a list of which must be attached to the stipulation.

2. A statement that counsel have in good faith discussed settlement unsuccessfully.

3. A statement that all pre-trial disclosure and discovery procedures under Rules 401 [1] to 448 [2] have been completed except that the parties may recite good cause for the entry of an order allowing such discovery procedures to be taken within a specific time not beyond the time set for trial.

4. A statement that all answers or supplemental answers to interrogatories under Rule 413 [3] reflect facts known to the date of the stipulation.

5. The estimated time of trial and a statement of the dates on which the parties or their attorney could not be available for trial.

6. Form of proposed order in lieu of pre-trial conference, which order shall contain at a minimum:

a. a concise description of the nature of the action,

b. a statement of all claims,

c. any admissions or stipulations of the parties,

d. any amendments to the pleadings and any issues of law abandoned by any of the parties,

e. a statement of the issues of fact which remain to be litigated at the trial, and any dispute as to whether such issues are formed by the pleadings,

f. a statement of the issues of law which remain to be litigated at the trial,

g. orders on all matters which will expedite the trial,

h. a descriptive list of all exhibits proposed to be offered in evidence reciting which exhibits shall be received in evidence without objection and those to which no objection will be made on grounds other than irrelevancy or immateriality,

i. a provision that counsel shall not offer any exhibits at the trial other than those listed in (h) above, except when offered for impeachment purposes or when otherwise permitted by the trial court in the interest of justice,

j. a list of the names and addresses of all witnesses which each party may call to testify at the trial, except impeachment witnesses, and all other witnesses shall be excluded from testifying in the trial of the action unless permitted by the trial court in the interest of justice,

k. where good cause has been shown therefor in the stipulation, a provision for specific discovery procedures to be undertaken within a specified time, and

l. a provision for the insertion of the trial date.

(Adopted April 2, 2014, effective for early adopters July 1, 2014, effective statewide July 1, 2015.)

Source URL: http://www.isc.idaho.gov/irflp705

Links:
[1] http://www.isc.idaho.gov/irflp401
[2] http://www.isc.idaho.gov/irflp448
[3] http://www.isc.idaho.gov/irflp413