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I.R.C.P. 5.1. Attorney Legislators

Idaho Rules of Civil Procedure Rule 5.1. Attorney Legislators.

(a) Appearance in Court Not Required. When an attorney is serving as a legislator while the legislature is in general or special session, the attorney is not required to appear at any trial or other proceeding.

(b) Extension of Time for Filing; Statute of Limitation Not Tolled. The time within which the attorney would normally be required to file any pleading or other paper is extended for a period of ten days following adjournment of the session of the legislature. The extension of time does not toll or otherwise extend the running of any limitation period provided by statute.

(c) Emergency Provisions. On a motion supported by affidavit, the court may order, ex parte, that the attorney-legislator appear or make arrangements for another attorney to represent the attorney-legislator's clients in the matter if the court finds that:

- (1) an emergency exists,
- (2) that the party will be unduly prejudiced, or
- (3) irreparable damage will accrue.

The order must be served on the attorney-legislator by certified mail addressed to the attorney at the legislature.

(Adopted March 1, 2016, effective July 1, 2016.)

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