District Local Rule Civ 1.1 (Civil)

SCOPE OF THE RULES

(a) Title and Citation. These rules will be known as the Local Rules of Civil and Criminal Practice before the United States District Court for the District of Idaho. They may be cited as “Dist. Idaho Loc. Civ. R. ____” or “Dist. Idaho Loc. Crim. R. ____.”

(b) Effective Date. These rules became effective on January 1, 2005. Any amendments to these rules become effective on the date approved by the Court.

(c) Scope of Rules. These rules must apply in all proceedings in civil actions. Rules governing proceedings before magistrate judges are incorporated herein. Additionally, the general provisions of these rules apply to criminal proceedings as set forth in Dist. Idaho Loc. Crim. R. 1.1.

(d) Relationship to Prior Rules; Actions Pending on Effective Date. These rules supersede all previous rules promulgated by this District or any judge of this Court. They must govern all applicable proceedings brought in this Court after they take effect. They also must apply to all proceedings pending at the time they take effect, except to the extent that in the opinion of the Court the application thereof would not be feasible or would work an injustice, in which event the former rules must govern.

(e) Rule of Construction and Definitions.

(1) Where no local rule governs a particular practice, assume that the local practice is consistent with the federal rules.

(2) Title 1, United States Code, Sections 1 to 5, must, as far as applicable, govern the construction of these rules.

(3) The following definitions must apply:

(A) "Court." As used in these rules, the term "Court" refers to the United States District Court for the District of Idaho, to the Board of Judges for the District of Idaho, or to a particular judge or magistrate judge of the Court before whom a proceeding is pending unless the rule expressly refers to a district judge only or to the full Court.

(B) "Clerk." As used in these rules, the term "Clerk" refers to the Clerk of Court or any deputy clerk designated by the Clerk of Court to act in the capacity of the Clerk.

Related Authority:
None