

Idaho R. Civ. P. 11.2

Rule 11.2 - Successive Applications for Orders or Writs; Motions for Reconsideration

(a) Successive Applications.

(1)*In General.* In any action, if an application for any order or writ is denied in whole or in part, neither the party nor the party's attorney may make any subsequent application to any other judge, except by appeal to a higher court.

(2)*Second Order Vacated; Sanctions.* A writ or order obtained in violation of this section must be immediately vacated by the judge who issued it. The court must sanction a party and the attorney seeking an order or writ in violation of this rule as it may determine appropriate, including by assessing costs and attorney's fees incurred by a party in defense of the writ or order.

(3)*Constitutional Writ After Disclosure Allowed.* A second application seeking a constitutional writ may be made if the first application and adverse ruling on the application are disclosed to the second judge. Likewise a constitutional writ may be sought from the same judge, or judge succeeding the same judge, in an action after the application was originally denied.

(4)*Application to the Same Judge or Successor.* A party or attorney may renew an application to the same judge, or a succeeding judge, in an action after the application was originally denied; but this rule does not create the right to file a motion for reconsideration except as provided in subsection (b) of this rule.

(b) Motion for Reconsideration.

(1)*In General.* A motion to reconsider any order of the trial court entered before final judgment may be made at any time prior to or within 14 days after the entry of a final judgment. A motion to reconsider an order entered after the entry of final judgment must be made within 14 days after entry of the order.

(2)*Certain Orders Not Subject to Reconsideration.* No motion to reconsider an order of the trial court entered on any motion filed under Rules 50(a), 52(b), 55(c), 59(a), 59(e), 59.1, 60(a), or 60(b) may be made.

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Effective 7/1/2016; further amended September 21, 2016, effective *nunc pro tunc* to 9/9/2016.