

CAO RFLPPI 1-3 Instructions RE: Affidavit in Support of or Opposition to Motion for Temporary Orders Under the Idaho Rules of Family Law Procedure

WARNING: These instructions ONLY apply to family law cases filed in the 4th Judicial District on or after January 1, 2013. This form is ONLY approved for use in the 4th Judicial District. __

You can use Form CAO RFLPPI 1-3 Affidavit in Support or Opposition to Motion for Temporary Orders to support or object to a Motion for Temporary Orders. However, this can be a complex process. The Court Assistance office has not been authorized to create the forms that you would need to file a request for temporary orders under the Idaho Supreme Court's Form Development Policy. Further, you cannot use the Affidavit on its own to file a request for temporary orders. As a result, it is strongly suggested that you contact an attorney to help you understand your options for requesting temporary court orders.

Step 1. Talk to a Lawyer, if Possible.

WARNING: When you represent yourself in a court case, you are held to the same standard as a lawyer. This applies to your preparation of paperwork and your conduct at all hearings and/or trial. Your lack of legal knowledge may cause you to make serious errors in handling your case. These instructions are not a substitute for legal advice. The laws and court rules are complex and following these instructions will not guarantee that your rights are protected or that you will be satisfied with the result. You should always talk to a lawyer about your legal problems before filing any legal paperwork. Even if you do not hire a lawyer to appear in your case, you may be able to find a lawyer to review your paperwork or give you more information about your rights. Call the Idaho State Bar (208-334-4500) to provide you with the name of a lawyer who handles this type of case. Contact the Court Assistance Office for information about resources for low-income people, or visit the Idaho Supreme Court's Self-Help Center at <http://www.courtselfhelp.idaho.gov/>.

Step 2: Get the form. Get the form you need from the Supreme Court's Self-Help Center Website at <http://www.courtselfhelp.idaho.gov/> or from your local court assistance office at the county courthouse.

Step 3: Fill out the Form. Fill out the form by typing or by printing neatly and legibly in **black ink**.

- **At the top left-hand corner of page 1**, fill in your full legal name, mailing address and telephone number.
- **The Court Heading.** Fill in the county and judicial district in capital letters (for example, "IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT, IN AND FOR THE COUNTY OF ADA").
- **The Caption.** Fill in the names of the petitioner and respondent and case number.
- **Completing the Affidavit in Support or Opposition to Motion for Temporary Orders.**
Fill in the information requested or check the boxes that fit your situation. Attach additional sheets if you run out of space to write your answer. Answer every question and do not leave spaces blank. If a question does not apply to you, write "N/A" in the space for "not applicable" so that the Judge knows you read the question.
- **Sign and Date.** Once the information is complete, sign and date the Affidavit in front of a Notary.

Step 4: Make Copies. Make 2 copies of the Affidavit and 2 copies of all other documents that you will be filing along with your Motion for Temporary Orders.

Step 5: Mail a copy to the other party. Mail 1 set of copies to the other party in the case or their lawyer if they have one. Keep 1 set of copies for your own personal records.

Step 6: File with the Court. Take and file the original Affidavit and all of the other documents that you will be filing along with your Motion for Temporary Orders with the court clerk in the county where the case was filed.