

1 **Rule 24. Intervention.**

2 **(a) Intervention of right.** Upon timely ~~application~~ motion the court must permit anyone shall be
3 permitted to intervene in an action who:

4 ~~(a)(1) when a statute confers~~ is given an unconditional right to intervene by statute or rule; or

5 ~~(a)(2) when the applicant claims an interest relating to the property or transaction which is the~~
6 subject of the action and ~~he is so situated that the disposition of the action may as a practical matter~~
7 ~~impair or impede his ability to protect that interest, unless the applicant's~~ moving party's interest is not
8 adequately represented by existing parties.

9 **(b) Permissive intervention.** Upon timely ~~application~~ motion the court may permit anyone may be
10 permitted to intervene in an action who:

11 ~~(b)(1) when a statute confers~~ is given a conditional right to intervene by statute or rule; or

12 ~~(b)(2) when an applicant's has a claim or defense and that shares with the main action have a~~
13 common question of law or fact ~~in common. When;~~

14 ~~(b)(3) is a government officer or agency and a party's to an action relies for ground of claim or~~
15 ~~defense upon any is based on a statute or executive order administered by a the governmental officer~~
16 or agency or ~~upon any regulation, order, requirement, or agreement issued or made pursuant to~~
17 under the statute or executive order, ~~the officer or agency upon timely application may be permitted to~~
18 ~~intervene in the action. In exercising its discretion the court shall consider whether the intervention will~~
19 ~~unduly delay or prejudice the adjudication of the rights of the original parties.~~

20 **(c) Procedure.** A person ~~desiring to intervene shall serve~~ must file a motion to intervene and serve it
21 ~~upon the parties as provided in Rule 5. The motions shall~~ must state the grounds therefor and shall for
22 intervention, the moving party's interest in the subject of the action, and the reason why that interest is not
23 adequately represented by the existing parties. The motion must be accompanied by a pleading setting
24 forth the moving party's claim or defense for which intervention is sought. In exercising its discretion the
25 court will consider whether the intervention will unduly delay the action or prejudice the existing parties'
26 rights.

27 **(d) Constitutionality of statutes and ordinances; notice to attorney general or county or**
28 **municipal attorney; intervention.**

29 (d)(1) If a party ~~challenges~~ files a pleading, written motion, or other paper drawing into question
30 the constitutionality of a statute in an action in which the ~~A~~ attorney General has not appeared, the
31 party ~~raising the question of constitutionality shall notify~~ must promptly serve the A attorney General
32 of such fact with a statement of the question and the paper in which it is raised. The court shall permit
33 ~~the state to be heard upon timely application.~~

34 (d)(2) If a party ~~challenges~~ files a pleading, written motion, or other paper drawing into question
35 the constitutionality of a county or municipal ordinance in an action in which the county or municipal
36 attorney has not appeared, the party ~~raising the question of constitutionality shall notify~~ must promptly
37 serve the county or municipal attorney of such fact with a statement of the question and the paper in

