

**CHAPTER 277**  
JUDGMENT ON DEFAULT

IN THE SUPREME COURT OF IOWA

IN THE MATTER OF A CHANGE  
IN THE IOWA RULES OF CIVIL  
PROCEDURE

}

REPORT OF THE  
SUPREME COURT

TO: MS. DIANE BOLENDER, SECRETARY OF THE LEGISLATIVE COUNCIL OF  
THE STATE OF IOWA:

Pursuant to Iowa Code sections 602.4201 and 602.4202, the Supreme Court of Iowa has prescribed and hereby reports on this date to the Secretary of the Legislative Council concerning an amendment to Iowa Rule of Civil Procedure 232 as shown in the attached Exhibit "A".

Pursuant to Iowa Code section 602.4202(2), this change is to take effect July 1, 1991.

Respectfully submitted,

THE SUPREME COURT OF IOWA

/s/ Arthur A. McGiverin

ARTHUR A. MCGIVERIN, Chief Justice

Des Moines, Iowa  
February 1, 1991

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council hereby acknowledge delivery to me on the eighth day of February, 1991, the Report of the Supreme Court pertaining to the Iowa Rules of Civil Procedure.

/s/ Diane Bolender

Secretary of the Legislative Council

EXHIBIT "A"

232. Judgment on default. Judgment upon a default shall be rendered as follows:

a. Where the claim is for a sum certain, or which by computation, can be made certain, the clerk, upon request, shall make such computation as may be necessary, and upon affidavit that the amount is due shall enter judgment for that amount, and costs against the party in default.

b. In all cases the court on motion of the prevailing party, shall order the judgment to which ~~he~~ the prevailing party is entitled, provided notice and opportunity to respond has been given to any party who has appeared, and the clerk shall enter the judgment so ordered. If no judge is holding court in the county, such order may be made by a judge anywhere in the judicial district as provided in R.C.P. 120. The court may, and on demand of any party not in default shall, either hear any evidence or accounting required to warrant the judgment or refer it to a master; or submit it to a jury if proper demand has been made therefor under R.C.P. 177.