

In the Iowa Supreme Court

**In the Matter of Adopting
Amendments to the Chapter 2
Iowa Rules of Criminal Procedure**

Order

On June 30, 2020, Governor Kim Reynolds signed House File 2643 (2020 Iowa Acts ch. 1121). Section 114 of House File 2643 amended Iowa Code section 808.8(2) by providing that search warrant returns may now be signed with a sworn statement, removing the requirement that search warrant returns be signed under oath. Section 115 of House File 2643 provided that the section 114 amendment would be effective upon the supreme court’s adoption of rules of electronic search warrant procedure, subject to the court’s transmission of those rules to legislative council.

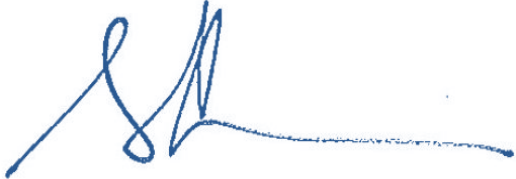
On September 5, 2024, the court temporarily adopted the Chapter 14 Iowa Rules of Electronic Search Warrant Procedure effective November 4, 2024, with the rules taking permanent effect subject to legislative council review consistent with the provisions of 2017 Iowa Acts, chapter 37, section 9 and Iowa Code section 602.4202.

With the adoption of the chapter 14 rules, the court adopts revised Rule 2.36—Form 4: *Return of Service*, which removes the “under oath” and notary portions of the form and replaces those with language consistent with Iowa Code section 622.1 regarding sworn statements.

The amendments to Rule 2.36—Form 4: *Return of Service* are temporarily adopted effective May 26, 2025. The amendments will permanently take effect subject to legislative council review consistent with the provisions of Iowa Code section 602.4202.

Dated this 24th day of March 2025.

The Iowa Supreme Court

By: 

Susan Larson Christensen, Chief Justice

Rule 2.36 — Form 4: Return of Service.

The form of a return of search warrant shall be substantially as follows:

RETURN OF SERVICE

State of
Iowa
_____ County }
}

ss:

I, _____, being a peace officer in and for _____
_____ County, state of Iowa, certify that the attached search warrant came into
my hands on the _____ day of _____, 20_____, and on the
_____ day of _____, 20_____, I executed the warrant by making a search of the
described person, premises, or thing and found the following property: (state kind and quantity)

_____ which property I seized by virtue of the attached warrant and which I now hold subject to further order of the court.

I have further executed the attached warrant by giving a copy of the warrant, together with a receipt for the property taken to _____, or;

No person having been found on the premises, I have left a copy of the inventory and a receipt for the property taken at the place where the property taken was found.

I, the officer by whom the attached warrant was executed, do certify that the above inventory contains a true and detailed account of the property taken by me on the warrant, and is accurate to the best of my knowledge.

Fees _____

Services _____

Mileage _____

Cartage _____

I further certify under penalty of perjury and pursuant to the laws of the State of Iowa that the preceding is true and correct.

Date

Peace Officer