

In the Iowa Supreme Court

**In the Matter of Adopting
Amendments to Chapter 6 of the
Iowa Court Rules, Iowa Rules of
Appellate Procedure**

Amended Order

On May 23, 2024, the Iowa Supreme Court filed an order adopting amendments to chapter 6 of the Iowa Rules of Appellate Procedure. The redlined attachment provided with that order contained a typographical error. The court now amends the previous order by replacing that attachment with the redlined attachment provided with this order. All other provisions, including “Chart D,” remain unchanged and in effect.

The amendments provided with this order are adopted effective immediately.

Dated this 24th day of May 2024.

The Iowa Supreme Court

By: 

Susan Larson Christensen, Chief Justice

CHAPTER 6
RULES OF APPELLATE PROCEDURE

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6.901(3) Notice of constitutional question.

a. Notice to the attorney general. When the constitutionality of an act of the general assembly is drawn into question in an appeal or other proceeding to which the State of Iowa or an officer, agency, or employee thereof is not a party in an official capacity, the party raising the constitutional issue must, within 3 days after filing the party's brief, provide the attorney general with written notice containing the supreme court case number, a reference to rule 6.901(3) identifying the act called into question, and the contact information of the attorney(s) of record. The notice to the attorney general may be provided by regular mail or as directed by the attorney general. An informational copy of the notice must be filed with the clerk of the supreme court within 3 days after the filing of the party's brief.

b. Notice to the general assembly. Iowa Code section 625A.7 governs notice to the general assembly regarding challenges to the constitutionality of a statute.

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6.903(2) *Appellant's brief.*

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b. Attachments.

(1) Using the EDMS electronic attachment function, The appellant must attach to the brief a file-stamped copy of the written judgment(s), order(s), or decision(s) being appealed. Transcripts of oral rulings may not be attached to the brief; parties must cite to the relevant transcript of oral rulings in their brief pursuant to rule 6.904(4).

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6.904(4) *To the record.*

a. Record citations in briefs.

(1) *Citation format.* Briefs must contain a citation to the record for each material statement of fact and case proceeding that identifies the particular part of the record by docket number, title of document (intelligible abbreviations may be used), reference to the specific pages of the record ~~including the original page and line numbers for citations to a transcript~~, and the filing date. E.g., D0023, M. New Trial at 5 (5/26/2020).

(2) *Transcripts.* Citations to portions of a transcript must include the docket number assigned to the transcript as filed, the title of the hearing or event transcribed (intelligible abbreviations may be used), reference to the specific page(s) of the transcript including page and line number(s), and the date of the

hearing or event that the transcript reported. E.g., D0125, Tr. Hearing M. New Trial at 125:2–127:14 (6/24/2020).

(3) Exhibits. Citations to exhibits must include the docket number assigned to the exhibit when admitted (not the docket number assigned when proposed), the number or letter the exhibit received at the evidentiary hearing or trial, and a concise description of the exhibit. E.g., D0127, Plaintiff’s Exh. 2, Photograph of Construction Site at 1. If the exhibit is an electronic file contained on physical media, such as a video file of an interview submitted into evidence on a DVD, the citation should include a pincite such as a timestamp or other appropriate signifier when practicable and appropriate, in addition to any docket number associated with the exhibit on EDMS. E.g., D0129, State’s Exh. 1, DVD of Defendant Interview at 00:30–00:45. Citations to exhibits are not required to include the date of filing or admission. Citations to an exhibit that cannot reasonably be maintained electronically, see Iowa R. Elec. P. 16.412(1)(b), that have no docket number associated with the exhibit, should list the exhibit number or letter received at the evidentiary hearing or trial, the date of the hearing or trial in which it was admitted, and a concise description of the exhibit and a notation that no exhibit number is associated with the exhibit. E.g., State’s Exh. 3, Surveillance Video at 3:31–20:07, 5/26/2024 hearing (no docket number).

~~(2)~~(4) *Multiple district court cases.* In an appeal involving review of more than one district court docket, the citation to the record must also include the district court docket number. E.g., D0002 (CVCV307586), M.S.J. at 7 (5/26/2020).

~~(3)~~(5) *District court attachments to filings.* If an attachment to a document does not have its own docket number, a citation to the attachment must refer to the docket number of the document in addition to the title of the attachment. E.g., Attachment to D0543, ~~Exh. 3~~ Lease Agreement at 5 (3/31/2007).

b. Abbreviations. Subsequent citations to the same filing from the district court may be abbreviated by reference to the docket number and the corresponding page number. E.g., D0307 at 5.

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Rule 6.906 Brief of amicus curiae.

6.906(1) Appeal.

a. An amicus curiae brief may be filed only by leave of the appropriate appellate court granted on motion, at the request of the appropriate appellate court, or when accompanied by the written consent of all parties. The United States and Iowa Attorney General may file an amicus curiae brief without leave of the appellate court or consent of the parties. Iowa Code section 625A.19 governs the filing of an amicus brief by members of the general assembly in challenges to the constitutionality of an Act of the Iowa legislature.

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Rule 6.1601 Appellate Procedure Charts
Rule 6.1601—Chart D: Citation Examples

APPELLATE PROCEDURE CHART D

CITATION EXAMPLES¹

Document Being Cited	Citation Example	Subsequent/Short Cite
Motion for Summary Judgment	D0160, M.S.J. at 3 (11/2/2016)	D0160 at 3
Motion for New Trial	D0023, M. New Trial at 5 (5/26/2020)	D0023 at 5
Sentencing Order	D1854, Sent. Order at 3 (4/1/2024)	D1854 at 3
Summary Judgment Ruling	D0013, S.J. Ruling at 16 (5/15/2015)	D0013 at 16
Transcripts	D0125, Tr. Hearing M. New Trial at 125:2–127:14 (6/24/2020)	D0125 at 125:2–124.14
Exhibit (EDMS)	D0127, Plaintiff’s Exh. 2, Photograph of Construction Site at 1	D0127 at 1
Exhibits (physical)	D0129, State’s Exh. 1, DVD of Defendant Interview at 00:30–00:45	D0129 at 00:30–00:45
Multiple District Court Cases	D0002 (CVCV307586), M.S.J. at 7 (5/26/2020)	D0002 at 7
District Court Attachment to Filing	Attachment to D0543, Exh. 3 at 5 (3/31/2007)	D0543, Exh. 3 at 5

¹The Iowa Rules of Appellate Procedure govern the procedure in all appeals in Iowa and should be reviewed in full. This chart is merely illustrative of typical appeals and may not cover every procedural situation or type of appeal.