

HOUSE FILE 779

Judiciary
Rush, Chairperson
Doyle
Murray

*orig 4/8/81
sent for 3512 4/16 (p.1314)*

HOUSE FILE 779

MAR 25 1981

BY COMMITTEE ON JUDICIARY AND
LAW ENFORCEMENT

Place On Calendar

(Formerly House File 541)

Passed House, Date 4-6-81 (p.1082) Passed Senate, Date 4-23-81 (p.1392)

Vote: Ayes 86 Nays 6 Vote: Ayes 46 Nays 0

Approved May 19, 1981

*Repassed House 5-6-81 (p.1681)
95-1*

A BILL FOR

- 1 An Act relating to the rules of evidence.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HOUSE FILE 779

S-3512

- 1 Amend House File 779 as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 1, by striking the word "shall"
- 4 and inserting in lieu thereof the words "is requested
- 5 to".

S-3512 FILED
APRIL 16, 1981

BY COMMITTEE ON JUDICIARY
LUCAS J. DeKOSTER, CHAIRPERSON

Adopted 4/23/81 (p.1392)

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HOUSE FILE 779

H-3385

- 1 Amend House File 779 as follows:
- 2 1. Page 1, by striking line 1 and inserting in
- 3 lieu thereof the following:
- 4 "Section 1. The general assembly requests that
- 5 the supreme court undertake a study of".

H-3385 FILED MARCH 30, 1981

BY SPEAR of Lee

Lost 4/6/81 (p.1082)

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1 Section 1. The supreme court shall undertake a study of
2 the federal rules of evidence for United States courts and
3 magistrates for the purpose of determining which rules should
4 be adopted for use in Iowa's state court system.

5 Sec. 2. Section 684.18, subsection 1, Code 1981, is amended
6 to read as follows:

7 1. The supreme court shall have the power to prescribe
8 all rules of pleading, practice, evidence, and procedure,
9 and the forms of process, writs and notices, for all
10 proceedings ~~of a civil nature~~ in all courts of this state,
11 for the purpose of simplifying the same, and of promoting
12 the speedy determination of litigation upon its merits. ~~Said~~
13 These rules shall neither abridge, enlarge, nor modify the
14 substantive rights of any litigant.

15 Sec. 3. Section 1 of this Act shall not be printed in
16 the Iowa Code.

17 EXPLANATION

18 This bill requires the Iowa Supreme Court to undertake
19 a study of the federal rules of evidence. The bill also
20 grants the Supreme Court the power to prescribe rules of
21 pleading, practice, evidence, and procedure, and the forms
22 of process, writs and notices for proceedings other than just
23 those of a civil nature.

24 SENATE AMENDMENT TO
HOUSE FILE 779

H-3822

1 Amend House File 779 as passed by the House, as
2 follows:

3 1. Page 1, line 1, by striking the word "shall"
4 and inserting in lieu thereof the words "is requested
5 to".

H-3822 FILED APRIL 27, 1981 RECEIVED FROM THE SENATE
House concurred 5/6/81 (p 1681)

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Sec. 3. Section 1 of this Act shall not be printed in the Iowa Code.

HOUSE FILE 779

AN ACT
RELATING TO THE RULES OF EVIDENCE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The supreme court is requested to undertake a study of the federal rules of evidence for United States courts and magistrates for the purpose of determining which rules should be adopted for use in Iowa's state court system.

Sec. 2. Section 684.18, subsection 1, Code 1981, is amended to read as follows:

1. The supreme court shall have the power to prescribe all rules of pleading, practice, evidence, and procedure, and the forms of process, writs and notices, for all proceedings ~~of-a-civil-nature~~ in all courts of this state, for the purpose of simplifying the same, and of promoting the speedy determination of litigation upon its merits. ~~Said~~ These rules shall neither abridge, enlarge, nor modify the substantive rights of any litigant.

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 779, Sixty-ninth General Assembly.

PAT H. HARPER
Chief Clerk of the House

Approved 5/19, 1981

ROBERT D. RAY
Governor

H.F. 779