

## CHAPTER 211

## JUDGMENTS AND DECREES LEGALIZED

H. F. 228

AN ACT to legalize and validate orders, judgments and decrees entered prior to July 4, 1951, where acceptance of service of notice, delivery of copy thereof or posting or proof of posting was done by an attorney or his agent.

*Be It Enacted by the General Assembly of the State of Iowa:*

1 SECTION 1. In all actions or in proceedings in probate where an  
2 order, judgment or decree was entered prior to July 4, 1951, upon any  
3 notice provided by the Iowa Rules of Civil Procedure or any other  
4 statute authorizing notice and in effect prior thereto or upon service  
5 of notice by publication or posting pursuant to any order, judgment  
6 or decree of any court of competent jurisdiction in the State of Iowa,  
7 and the acceptance of service of any such notice or the delivery of copy  
8 thereof or the posting or proof of posting of any such notice was taken  
9 or made by an attorney or his agent, the service of such notice, de-  
10 livery of copy thereof and the posting and proof of posting are hereby  
11 declared valid and of the same force and effect as if such acts were  
12 done by any person competent to perform such acts under the rules  
13 of procedure and the laws and statutes of the State of Iowa at the  
14 time thereof, and no action shall be maintained in any court to ques-  
15 tion such notice or the validity thereof by reason of such acceptance,  
16 delivery, posting or proof of service unless the claimant, his agent or  
17 attorney, or if he be a minor or under legal disability, his guardian,  
18 trustee or either parent, shall within one (1) year from July 4, 1951,  
19 file in the office of the Clerk of the District Court where such decree  
20 or order was entered a statement in writing, duly acknowledged,  
21 claiming a good defense to the action or proceeding in which such  
22 order, judgment or decree was entered, and stating the facts upon  
23 which such claim is based. Such claim shall be entered by the Clerk  
24 in the docket record of the action in which the order, judgment or de-  
25 cree was entered or in the probate docket, if such order, judgment or  
26 decree shall be in any proceeding in probate, and indexed so as to  
27 refer to such order, judgment or decree.

1 SEC. 2. This act shall not affect pending litigation and shall not  
2 operate to revive rights or claims previously barred, or permit any  
3 action to be brought or maintained upon any claim or cause of action  
4 which was barred by rule, law or statute in force prior to July 4, 1951.

Approved March 9, 1951.