

CHAPTER 259

R.C.P. AMENDMENT

S. F. 583

AN ACT to amend the rules of civil procedure proposed by the supreme court.

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

1 SECTION 1. Amend the proposed rules of civil procedure found in
2 Senate Journal, January 15, 1975, pages 120 and 121, New Rule one
3 hundred twenty-four point one (124.1) to read as follows:

4 **124.1 Stipulations regarding discovery procedure.** Unless the
5 court orders otherwise, the parties may by written stipulation (1) pro-
6 vide that depositions may be taken before any *qualified* person at any
7 time or place, upon any notice, and in any manner and when so taken
8 may be used like other depositions, and (2) modify the procedures pro-
9 vided by these rules for other methods of discovery, except that stipu-
10 lations extending the time provided in Rules ~~125~~ 126, 127 and 130 for
11 responses to discovery may be made only with the approval of the
12 court.

Approved July 3, 1975

This Act was passed by the G.A. prior to July 1, 1975; see §3.7 of the Code

CHAPTER 260

RULES OF CIVIL PROCEDURE

IN THE MATTER OF
THE
RULES OF CIVIL PROCEDURE }

REPORT OF THE
SUPREME COURT

To the 1975 Regular Session of the Sixty-sixth General Assembly of the State of Iowa:

1 Pursuant to section 684.18 and 684.19, Code 1973, the Supreme Court
2 of Iowa has prescribed and hereby reports to the General Assembly
3 changes in the existing Rules of Civil Procedure as follows:

4 Rule 48. **Commencing actions.**

5 That Rule 48 be stricken and the following substituted:

6 "48. **Commencement of actions.** A civil action is commenced by
7 filing a petition with the court."

8 Rule 49. **Tolling limitations.**

9 That Rule 49 be stricken and the following substituted:

10 "49. **Original notice; Issuance and form.**

11 (a) Written directions for the service of the original notice and copy
12 of petition shall be delivered to the clerk with the petition. There shall
13 also be delivered to the clerk with the petition the original notice to be
14 served and sufficient copies of both. The original notice shall contain
15 the name of the court and the names of the parties, be directed to the
16 defendant, state the name and address of the plaintiff's attorney, if
17 any, otherwise the plaintiff's address, and the time within which these
18 rules require the defendant to appear and defend, and shall notify de-