

RULES OF CRIMINAL PROCEDURE

CHAPTER 1326

RULES OF CRIMINAL PROCEDURE

IN THE MATTER OF CHANGES IN
RULES OF CRIMINAL PROCEDURE

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REPORT OF THE
SUPREME COURT

TO: SERGE H. GARRISON, SECRETARY OF THE LEGISLATIVE COUNCIL OF THE
STATE OF IOWA:

Pursuant to Iowa Code sections 602.4201 and 602.4202 (Supp. 1983), the Supreme Court of Iowa has prescribed and hereby reports to the Legislative Council the attached Exhibit A, constituting changes in Rules of Criminal Procedure, which have been issued on this date. Pursuant to Iowa Code section 602.4202(3) (Supp. 1983), these rules and forms are to take effect on July 1, 1984.

Respectfully submitted,
THE SUPREME COURT OF IOWA

/s/ W. W. Reynoldson

W. W. REYNOLDSON, Chief Justice

Des Moines, Iowa
March 27, 1984

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council of the State of Iowa, hereby acknowledge delivery to me on the twenty-seventh day of March, 1984, of the Report of the Supreme Court pertaining to Rules of Criminal Procedure.

/s/ Serge H. Garrison

Secretary of the Legislative Council

EXHIBIT "A"
RULES OF CRIMINAL PROCEDURE

Amend Rule 10(4) as follows:

4. Time of filing. Motions hereunder, except motions in limine, shall be filed when the grounds therefor reasonably appear but no later than forty days after arraignment. Motions in limine shall be filed when grounds therefor reasonably appear but no later than nine days before the trial date. If a written arraignment under R.Cr.P. 8(1) is used, the date of arraignment is the date the written arraignment is filed.

Amend Rule 25(1) as follows:

1. Felony or misdemeanor. In felony cases the defendant shall be present at the arraignment, at the time of the and plea, unless a written arraignment form as provided in R.Cr. P. 8(1) is filed, at every stage of the trial including the impaneling of the jury and the return of the verdict, and at the imposition of sentence, except as otherwise provided by this rule. In other cases the defendant may appear by counsel.