

CHAPTER 238
CHANGE OF VENUE

IN THE SUPREME COURT OF IOWA

IN THE MATTER OF A CHANGE
IN THE IOWA RULES OF CIVIL
PROCEDURE

}

REPORT OF THE
SUPREME COURT

TO: MR. DONOVAN PEETERS, SECRETARY OF THE LEGISLATIVE COUNCIL OF
THE STATE OF IOWA:

Pursuant to Iowa Code section 602.4201 (1985) and section 602.4202 (Supp. 1985), the Supreme Court of Iowa has prescribed and hereby reports to the Secretary of the Legislative Council the attached Exhibit "A", concerning the amending of Rule 168 of the Iowa Rules of Civil Procedure, which is issued on this date.

Pursuant to Iowa Code section 602.4202(2) (Supp. 1985), this change is to take effect October 1, 1986.

Respectfully submitted,

THE SUPREME COURT OF IOWA

/s/ W. W. Reynoldson

W. W. REYNOLDSON, Chief Justice

Des Moines, Iowa
July 28, 1986

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council of the State of Iowa hereby acknowledge delivery to me on the thirtieth day of July, 1986, the Report of the Supreme Court pertaining to the Iowa Rules of Civil Procedure.

/s/ Donovan Peeters

Secretary of the Legislative Council

EXHIBIT "A"

168. Limitations. Change of venue shall not be allowed:

- (a) In an appeal from a ~~justice of the peace~~ small claims case; or
- (b) Under R.C.P. 167~~-(c)~~ where the issues are triable to the court alone, except for prejudice of the judge; or
- (c) Until the issues are made up, unless the objection is to the judge; or
- (d) After a continuance, except for a cause arising since such continuance or not known to movant prior thereto; or
- (e) After one change, for any cause then existing, and known or ascertainable with reasonable diligence.

In no event shall more than two changes be allowed to any party.