

**CHAPTER 240**  
SMALL CLAIMS

IN THE SUPREME COURT OF IOWA

IN THE MATTER OF A SMALL  
CLAIMS FORM FOR AN  
ACTION OF REPLEVIN

}

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 adoption of a small claims form for an action of replevin, which is issued on this date.

Pursuant to Iowa Code section 602.4202(2) (Supp. 1985), this change is to take effect July 1, 1987. The previous report of the supreme court filed December 31, 1986,\* concerning the adoption of a small claims form for an action of replevin is rescinded.

Respectfully submitted,

THE SUPREME COURT OF IOWA

/s/ W. W. Reynoldson

W. W. REYNOLDSON, Chief Justice

Des Moines, Iowa  
March 10, 1987

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council hereby acknowledge delivery to me on the sixteenth day of March, 1987, the Report of the Supreme Court pertaining to a small claims form for an action of replevin.

/s/ Donovan Peeters

Secretary of the Legislative Council

\_\_\_\_\_  
\*Not published

EXHIBIT "A"  
IN THE IOWA DISTRICT COURT  
IN AND FOR \_\_\_\_\_ COUNTY  
(Small Claims Division)

Plaintiff(s)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

vs.

Defendant(s)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

ORIGINAL NOTICE

(Action of Replevin.)

Small Claim No. \_\_\_\_\_

Date Filed \_\_\_\_\_

TO THE ABOVE-NAMED DEFENDANT(S):

YOU ARE HEREBY NOTIFIED that the above-named plaintiff(s) demand(s) possession of property described as: (insert description)

- (1) The actual value of the property is \$ \_\_\_\_\_ (If more than one item is involved, separate values must be stated for each item.) (May not exceed \$2,000 in total value.)
- (2) Plaintiff(s) is (are) entitled to immediate possession because (check one):
  - Plaintiff(s) own(s) the property;
  - Plaintiff(s) has (have) a security agreement for the property (copy attached) providing that plaintiff(s) is (are) entitled to seize possession on default, and that default(s) as follows has (have) occurred;
  - (State other grounds).
- (3)  (a) That the property is not in the possession of the defendant(s) under court order or judgment; or
  - (b) That property was taken by the defendant(s) under a court order or judgment but is improperly held, being exempt from such seizure because: (State basis for exemption).
- (4) That to the best belief of the plaintiff(s) the property is being held by the defendant(s) because: (State facts constituting the defendant's(s') alleged reason for detaining the property).
- (5) That the plaintiff(s) is (are) entitled to damages for such retention in the amount of \$ \_\_\_\_\_, based on: (State grounds of alleged damage).

UNLESS YOU APPEAR by completing and filing the attached appearance and answer form with the clerk of the court at \_\_\_\_\_ (exact address) in \_\_\_\_\_ (city), Iowa \_\_\_\_\_ (zip code), within 20 days after service of this original notice upon you, judgment shall be rendered against you upon plaintiff's(s)' claim together with interest and court costs.

IF YOU DENY THE CLAIM AND APPEAR by filing the attached appearance and answer within 20 days after service of this original notice upon you, you will then receive notification from the clerk's office of the place and time assigned for hearing.

\_\_\_\_\_  
\_\_\_\_\_  
Plaintiff(s)

STATE OF IOWA }  
COUNTY OF \_\_\_\_\_ } ss

I (We), \_\_\_\_\_, do hereby swear or affirm that the above and foregoing statements are true and correct as I (we) verily believe.

\_\_\_\_\_  
(Signature(s) of affiant(s))

Subscribed and sworn to before me by \_\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

**RULES OF CRIMINAL PROCEDURE**

See Chapter 25 herein