

CHAPTER 224

FILING BRIEFS AND MEMORANDA - MOTIONS FOR SUMMARY JUDGMENT

IN THE SUPREME COURT OF IOWA

IN THE MATTER OF A CHANGE)	
IN THE IOWA RULES OF)	REPORT OF THE
CIVIL PROCEDURE)	SUPREME COURT

TO: MS. DIANE BOLENDER, SECRETARY OF THE LEGISLATIVE COUNCIL OF THE STATE OF IOWA.

Pursuant to Iowa Code sections 602.4201 and 602.4202, the Supreme Court of Iowa has prescribed and hereby reports on this date to the Secretary of the Legislative Council concerning amendments to Iowa Rule of Civil Procedure 82(d) as shown in the attached Exhibit "A."

Pursuant to Iowa Code section 602.4202(2), the changes to Rule 82(d) are to take effect August 1, 1994.

Respectfully submitted,
THE SUPREME COURT OF IOWA

/s/ Arthur A. McGiverin
ARTHUR A. MCGIVERIN, Chief Justice

Des Moines, Iowa
June 1, 1994

ACKNOWLEDGMENT

I, the undersigned, Secretary of the Legislative Council, hereby acknowledge delivery to me on the second day of June, 1994, the Report of the Supreme Court pertaining to the Iowa Rules of Civil Procedure.

/s/ Diane E. Bolender
Secretary of the Legislative Council

EXHIBIT "A"

82. Service and filing of pleadings and other papers.

d. Filing. All papers after the petition required to be served upon a party shall be filed with the court either before service or within a reasonable time thereafter; however, no party shall file legal briefs or memoranda, except in support of or resistance to a motion for summary judgment, unless expressly ordered by the court. Such briefs and memoranda shall be served upon the parties with an original copy delivered to the presiding judge. The party submitting the legal brief or memoranda shall file a statement certifying compliance with this rule. Whenever these rules or the Rules of Appellate Procedure require a filing with the district court or its clerk within a certain time, the time requirement shall be tolled when service is made provided the actual filing is done within a reasonable time thereafter.