

CHAPTER 226
ANSWERS TO INTERROGATORIES

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: THE HONORABLE AL STURGEON, CHAIR OF THE SENATE JUDICIARY COMMITTEE OF THE 1994 REGULAR SESSION OF THE SEVENTY-FIFTH GENERAL ASSEMBLY 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 Chair of the Senate Judiciary Committee concerning amendments to Iowa Rule of Civil Procedure 126(a) as shown in the attached Exhibit "A."

Pursuant to Iowa Code section 602.4202(2), the changes to Rule 126(a) are to take effect January 3, 1995.

Respectfully submitted,

THE SUPREME COURT OF IOWA

/s/ Arthur A. McGiverin

ARTHUR A. MCGIVERIN, Chief Justice

Des Moines, Iowa
September 23, 1994

ACKNOWLEDGMENT

I, the undersigned, Chair of the Senate Judiciary Committee, hereby acknowledge delivery to me on the twenty-eighth day of September, 1994, the Report of the Supreme Court pertaining to the Iowa Rules of Civil Procedure.

/s/ Al Sturgeon

Chair of the Senate Judiciary Committee

EXHIBIT "A"

IOWA RULE OF CIVIL PROCEDURE 126(a)

126. Interrogatories to parties.

a. Availability-procedures for use. Except in small claims, any party may serve written interrogatories to be answered by another party or, if the other party is a public or private corporation or a partnership or association or governmental agency, by any officer or agent, who shall furnish such information as is available to the party. Copies of interrogatories and answers shall be served on each adverse party. Interrogatories may, without leave of court, be directed to the plaintiff after commencement of the action and upon any other party with or after service of the original notice upon that party.

Each interrogatory shall be followed by a reasonable space for insertion of the answer. An interrogatory which does not comply with this requirement shall be subject to objection.

Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the reasons for objection shall be stated in lieu of an answer.

A party answering interrogatories must answer in the space provided or must set out each interrogatory immediately preceding the answer to it. A failure to comply with this rule shall be deemed a failure to answer and shall be subject to sanctions as provided in R.C.P. 134. ~~The a~~Answers are to be signed by the person making them. ~~The party to whom the interrogatories are directed~~ Answers shall not be filed; however, they shall be served upon all adverse parties within thirty days after the interrogatories are served. the answers, and oObjections, if any, shall be filed within thirty days after they interrogatories are served, ~~except that a d~~Defendants, however, may file their answers or objections or serve their answers within sixty days after they have been served of the original notice ~~upon that defendant~~. The court may allow a shorter or longer time. The party submitting the interrogatories may move for an order under R.C.P. 134^(a-2) with respect to any objection to or other failure to answer an interrogatory. Copies of answers shall be delivered as provided in R.C.P. 82.

A party shall not serve more than thirty interrogatories on any other party except upon agreement of the parties or leave of court granted upon a showing of good cause. A motion for leave of court to serve more than thirty interrogatories must be in writing and shall set forth the proposed interrogatories and the reasons establishing good cause for their use.