

Supreme Court

STATE CAPITOL
DES MOINES, IOWA 50319

JAMES H. CARTER
JUSTICE

RECEIVED

AUG 14 1998

LEGISLATIVE SERVICE
BUREAU

August 12, 1998

Ed Cook
Legislative Service Bureau
State Capitol
LOCAL

Dear Ed:

At the rules subcommittee's last meeting, we considered your memo of July 17. We appreciate the great deal of work you have put into the project and look forward to moving forward on it. At the present time we believe that we will want to refer the proposed changes for consideration by our various advisory committees (*e.g.*, criminal rules advisory committee, probate rules committee, etc.) Specifically, we would like the advisory committees' comments about proposed "lead-in" and word changes. We want to ensure that proposed changes intended to make a rule more clear do not inadvertently change its meaning.

As you noted in your memorandum, the renumbered rules presently included in the blue notebook are only current through July 1997. In order to facilitate the advisory committees' review of the proposed changes, we would like to have the blue notebook brought current. We think the advisory committees could more quickly review your proposed changes and return comments to us if they did not have to first ascertain if the rules they are reviewing are in fact current.

A review of our records reveals the following rules and forms have been amended or adopted since July 1997:

8-1-97	Iowa R. Crim. P. 30
8-1-97	Iowa R. App. P. 32
10-3-97	Court R. 218
10-3-97	Court R. 102(a)(8)
10-30-97	Iowa R. App. P.1
10-31-97	Iowa R. Civ. P. (extensive revision of civil rules and forms)
11-20-97	Iowa R. Crim. P. 30
12-9-97	Grievance Commission Complaint Form
1-9-98	Court R. 114
3-13-98	Domestic Abuse Forms
5-6-98	Small claims form for combined FED and money judgment actions

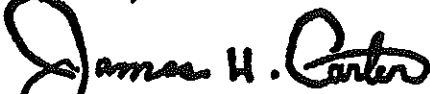
5-29-98
7-1-98

Code of Prof. Resp. DR 2-111 and definitions section
Iowa R. App. P. 15

Copies of all of these changes are enclosed, and the subcommittee would like you to incorporate them into the blue notebook. When we receive the updated version, we, with the assistance of our advisory committees, will determine whether the proposed word and lead-in changes are acceptable. At that time we will be able to approve in principle the proposed renumbering project and can further proceed as outlined in your memo.

One additional concern that the subcommittee had was the proposal to strike the historical references. The court frequently uses these references to research prior versions of a rule. Because rule changes will no longer be published in the Iowa Acts, it seems particularly important to continue to include the historical references in the Iowa Court Rules. The subcommittee would like to know the reasons behind this proposal.

Sincerely,

A handwritten signature in black ink that reads "James H. Carter". The signature is written in a cursive style with a large, stylized initial "J".

JAMES H. CARTER
Chairperson, Supreme Court Subcommittee
on Rules of Practice and Procedure

JHC/tjhb

Attachments