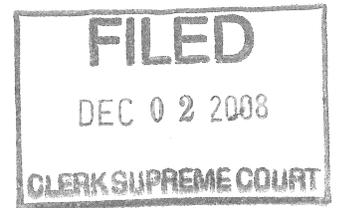


IN THE SUPREME COURT OF IOWA

O R D E R



**REQUEST FOR PUBLIC COMMENT
REGARDING PROPOSED AMENDMENTS
TO RULES OF CRIMINAL PROCEDURE 2.4(6) and 2.5(3)**

At the request of this court, the Supreme Court Advisory Committee on Rules of Criminal Procedure reviewed Iowa Rules of Criminal Procedure 2.4(6) and 2.5(3) regarding certain information about a witness that must be provided in the minutes of evidence. The committee recommended that certain amendments be made and by order on June 23, 2008, the court sought public comment on those proposals. Having received comment, this court requested that the committee reconsider its proposal. After careful consideration of those comments, the committee has amended its proposal. Now, the court seeks public comment on the proposed amendments.

Copies of the proposed amendments can be found at—www.judicial.state.ia.us/Supreme_Court/Orders/. In addition, copies are available at the office of the Clerk of the Supreme Court.

Any interested organization, agency, or person may submit written comments by **January 2, 2009**. To be considered by the court, comments must comply with the following requirements:

Comments about a proposed rule must refer to the specific rule number to which the comments are directed.

Comments must be delivered by e-mail or sent by regular mail to the Clerk of the Supreme Court, 1111 East Court Avenue, Des Moines, Iowa, 50319.

Comments submitted by e-mail must be addressed to **rules.comment@iowacourts.gov**, must state **“Criminal Rules”** in the

subject line of the e-mail, and **must be sent as an attachment to the e-mail in Microsoft Word format.**

Dated this 2nd day of December, 2008.

THE SUPREME COURT OF IOWA

By Marsha Ternus
Marsha Ternus, Chief Justice

CHAPTER 2

IOWA RULES OF CRIMINAL PROCEDURE

Rule 2.4 Indictment

2.4(6) Minutes.

a. Contents. A minute of evidence shall consist of a notice in writing stating the name, ~~place of residence,~~ and occupation of the witness upon whose testimony the indictment is found, and a full and fair statement of the witness' testimony before the grand jury and a full and fair statement of additional expected testimony at trial. The minute shall also contain the witness' residential address, employment address, or address at which the witness may be contacted.

Rule 2.5 Information

2.5(3) Witness names and minutes. The prosecuting attorney shall, at the time of filing such information, also file the minutes of evidence of the witnesses which shall consist of a notice in writing stating the name, ~~place of residence~~ and occupation of each witness upon whose expected testimony the information is based, and a full and fair statement of the witness' expected testimony. The minute shall also contain the witness' residential address, employment address, or address at which the witness may be contacted.