

## In the Iowa Supreme Court

CLERK SUPREME COURT

Request for Public Comment on )  
Proposed Amendments to )  
Iowa Rule of Civil Procedure 1.904 ) **Order**  
and Iowa Rule of Appellate )  
Procedure 6.101 )

The Iowa Supreme Court seeks public comment on proposed amendments to rules 1.904 and 6.101 relating to the timeliness of appeals when the notice of appeal is filed more than thirty days after the original court order or judgment but within thirty days after an order on a motion to reconsider, enlarge, or amend that order or judgment. The court has noted concerns about the existing state of the law in this area. *See, e.g., Hedlund v. State*, 875 N.W.2d 720, 725 (Iowa 2016). Accordingly, the court has proposed and seeks comment on possible rule changes to address this problem. The proposed changes are to both rule 1.904 and rule 6.101 and are intended to be parallel and similar in effect. These amendments are intended to reduce controversies over whether an otherwise timely motion to reconsider, enlarge, or amend a court order or judgment is also “proper” so as to toll the appeal deadline.

Prior to further consideration of the proposed amendments to these rules, the court seeks public comment on them. The proposed amendments are provided with this order and may be found on the Iowa Judicial Branch website at: [http://www.iowacourts.gov/About\\_the\\_Courts/Supreme\\_Court/Orders/](http://www.iowacourts.gov/About_the_Courts/Supreme_Court/Orders/).

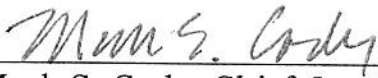
Any interested organization, agency, or person may submit comments regarding the proposed amendments. All comments must refer to the specific rule number (for example, rule 1.904) and the specific numbered line or lines to which the comments refer. Comments sent by email must be emailed to

**rules.comments@iowacourts.gov**, must state **“Proposed Amendments to Rules 1.904 and 6.101”** in the subject line of the email, and must be sent **as an attachment to the email in Microsoft Word format**. Instead of submission by email, comments may be delivered in person or mailed to the Clerk of the Supreme Court, Judicial Branch Building, 1111 East Court Avenue, Des Moines, Iowa, 50319.

**The deadline for submitting comments is 4:30 p.m. on October 31, 2016.**

Dated this 29th day of August, 2016.

The Iowa Supreme Court

By   
Mark S. Cady, Chief Justice