

**In the Iowa Supreme Court**

<b>In the Matter of Adopting Amendments to Chapter 6 of the Iowa Court Rules, Iowa Rules of Appellate Procedure</b>	<b>Order</b>
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The Iowa Supreme Court adopts amendments to Chapter 6 of the Iowa Court Rules, Iowa Rules of Appellate Procedure. A full, clean version of the appellate rules with all of the implemented amendments and a redlined version showing all of the revisions are provided with this order.

**I. Introduction**

The appellate rules have not undergone a comprehensive review since 2008. On September 15, 2020, the supreme court established the Iowa Rules of Appellate Procedure Review Task Force to perform a comprehensive review of the appellate rules and make recommendations to the supreme court for amending and updating the rules and promulgating new rules as needed.

Task force members included supreme court justices; court of appeals judges; attorneys practicing in the attorney general's office and appellate defender's office; private attorneys practicing in criminal, civil, juvenile, and family law; and supreme court staff.

- Honorable Dana Oxley, Justice, Iowa Supreme Court, Swisher, Cochair
- Honorable David May, Justice, Iowa Supreme Court, Polk City, Cochair
- Honorable Paul Ahlers, Judge, Iowa Court of Appeals, Fort Dodge
- Honorable Tyler Buller, Judge, Iowa Court of Appeals, Johnston
- Kodi Brotherson, attorney, Sac City
- Donna Humpal, attorney, Clerk, Iowa Appellate Courts, Des Moines
- Ryan Koopmans, attorney, Des Moines
- Martha Lucey, attorney, Des Moines
- Christine Mayberry, attorney, Deputy Clerk, Iowa Appellate Courts, Des Moines
- Benjamin Parrot, attorney, Urbandale

- Nancy Penner, attorney, Cedar Rapids
- Mikkie Schiltz, attorney, Davenport
- Alesha Sigmeth Roberts, attorney, Clarion
- Leon Spies, attorney, Iowa City
- Jeffrey Thompson, attorney, Des Moines
- Scott Wadding, attorney, Des Moines
- Mathew Zinkula, attorney, Iowa Supreme Court, Waukegan

## **II. Process**

The task force met both in person and remotely and performed a comprehensive review of all the appellate rules. Upon completing its review, the task force provided recommended amendments to the supreme court. Prior to taking any action on the recommendations, the court put the proposed amendments out for public comment. The comment period began on March 31, 2023, and ended on June 29, 2023. Five public comments were submitted.

The task force reviewed the public comments and proposed additional amendments to the appellate rules in light of the comments as well as intervening changes to the Electronic Data Management System (EDMS), namely, the addition of docket numbers. The task force then provided the court with its final recommended amendments to the appellate rules.

The task force recommended numerous substantive changes to update the rules to conform with current law and practice and to enhance and streamline the overall appellate procedure to the benefit of all parties and the public. Nonsubstantive changes were also recommended to help make the rules easier to understand and improve overall readability. While not every task force member agreed with every proposed amendment, the recommendations as a whole reflected the consensus of the task force.

The court reviewed the public comments, made additional changes to implement the task force's recommendations, and received the task force's input on the final amendments. The court approves the amendments to the Iowa Rules of Appellate Procedure that are provided with this order.

### **III. Summary of Significant Changes**

A more detailed summary of the amendments to the appellate rules is provided with this order. Some of the significant substantive changes include:

- Eliminating proof briefs and designations of parts of the record.
- Eliminating appendices.
- Requiring appellants to attach the order(s) or judgment(s) being appealed to the appellant's brief.
- Requiring that citations to the record reflect the new docket numbering system within EDMS.
- Expressly allowing parties to include certain images in their briefs.
- Reducing the word count for primary briefs from 14,000 to 13,000 words.
- Removing the requirement to list authorities in the "statement of the issues presented for review" section of briefs.
- Implementing recent amendments to Iowa Code section 814.6 by requiring briefs in appeals from guilty pleas to include a jurisdictional statement and by revising other rules affected by the legislation.

Nonsubstantive changes to the appellate rules include:


- Reorganizing, moving, and combining some sections to allow for a more logical sequence and overall improved flow.
- Breaking some longer rules into smaller subsections.
- Rewording some phrases into plain language or commonly used terms.
- Changing all deadlines to numerals to make them easier to find.

### **IV. Effective date**

The amendments to Chapter 6 of the Iowa Court Rules, Iowa Rules of Appellate Procedure are adopted effective April 1, 2024; rules 6.101 through 6.105, 6.601 through 6.603, and 6.907 are subject to a sixty-day review by the Iowa Legislative Council consistent with the provisions of Iowa Code section 602.4202.

Dated this 29th day of September, 2023.

**The Iowa Supreme Court**

By: 

Susan Larson Christensen, Chief Justice