

4/10/01 Rereferred To: Judiciary

MAR 13 2001  
Place On Calendar

HOUSE FILE 589  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO HF 483)

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to the authentication of out-of-state judicial  
2 records.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

HF 589

1 Section 1. Section 622.53, Code 2001, is amended to read  
2 as follows:

3 622.53 JUDICIAL RECORD -- STATE OR FEDERAL COURTS.

4 A judicial record of this state, including the filed  
5 certified shorthand notes of the official court reporter as  
6 transcribed or a court of the United States may be proved by  
7 the production of the original, or a copy of it certified by  
8 the clerk or person having the legal custody of it,  
9 authenticated by the custodian's seal of office, if there is a  
10 seal. ~~That~~ A judicial record of another state may be proved  
11 by the attestation of the clerk and the seal of the court  
12 annexed, if there is a seal, ~~together with a certificate of a~~  
13 ~~judge, chief justice, or presiding magistrate that the~~  
14 ~~attestation is in due form of law.~~

15 EXPLANATION

16 This bill relates to the authentication of out-of-state  
17 judicial records. The bill eliminates the need for a judge,  
18 chief justice, or presiding magistrate to provide a  
19 certificate attesting to the authenticity of the out-of-state  
20 record, where the out-of-state record is proved by an original  
21 or certified copy as correct by the clerk and the seal of the  
22 court, if there is a seal.

23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35