CHAPTER 599

JUDICIAL NOTICE

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599.01 LAWS OF FOREIGN COUNTRIES.

The existence and the tenor or effect of all foreign laws may be proved as facts by parol evidence; but, if it appears that the law in question is contained in a written statute or code, the court may, in its discretion, reject any evidence of such law which is not accompanied by a copy thereof.

History: *(9852) RL s 4698*

599.02 STATUTES OF OTHER STATES.

Printed copies of the statute laws of any other state, or of a foreign country, which purport to be published under the authority of their respective governments, or if commonly admitted as evidence in their courts, are admissible as prima facie evidence of such laws in all cases in this state.

History: *(9855) RL s 4701*

599.03 COMMON LAW OF OTHER STATES.

The unwritten or common law of any other state may be proved as a fact by parol evidence, and the books of reports of cases adjudged in the courts of such states may also be admitted as evidence of such law.

History: *(9856) RL s 4702*

599.04 COURTS TO TAKE JUDICIAL NOTICE.

Every court of this state shall take judicial notice of the common law and statutes of every state, territory, and other jurisdiction of the United States.

History: *(9852-1) 1939 c 77 s 1*

599.05 COURTS MAY OBTAIN INFORMATION; HOW.

The court may inform itself of such laws in such manner as it may deem proper, and the court may call upon counsel to aid it in obtaining such information.

History: *(9852-2) 1939 c 77 s 2*

599.06 DETERMINATION TO BE MADE BY COURT.

The determination of such laws shall be made by the court and not by the jury, and shall be reviewable.

History: *(9852-3) 1939 c 77 s 3*

599.07 EVIDENCE.

Any party may also present to the trial court any admissible evidence of such laws, but, to enable a party to offer evidence of the law in another jurisdiction or to ask that judicial notice be taken thereof, reasonable notice shall be given to the adverse parties either in the pleadings or otherwise.

History: *(9852-4) 1939 c 77 s 4*

599.08 ISSUE FOR COURT.

The law of a jurisdiction other than those referred to in section 599.04 shall be an issue for the court, but shall not be subject to the provisions of sections 599.04 to 599.07 concerning judicial notice.

History: *(9852-5) 1939 c 77 s 5*

599.09 INTERPRETATION OF SECTIONS 599.04 TO 599.10.

Sections 599.04 to 599.10 shall be so interpreted and construed as to effectuate their general purpose to make uniform the law of these states which enact them.

History: *(9852-6) 1939 c 77 s 6*

599.10 CITATION, UNIFORM JUDICIAL NOTICE OF FOREIGN LAW ACT.

Sections 599.04 to 599.10 may be cited as the Uniform Judicial Notice of Foreign Law Act.

History: *(9852-7) 1939 c 77 s 7*

599.11 RECORDS OF FOREIGN COURTS.

The records and judicial proceedings of a court of any other state, or of the United States, or of any foreign country shall be admissible in evidence in all cases when authenticated by the attestation of the court administrator or other officer having charge of the records of such court, under its seal.

History: *(9851) RL s 4697; 1Sp1986 c 3 art 1 s 82*

599.12 PRINTED COPIES OF STATUTES.

Printed copies of all statutes, acts, and resolutions of this state published under its authority, whether of a public or private nature, the journals of the senate and the house of representatives kept by the respective clerks thereof as provided by law, and deposited in the Office of the Secretary of State, and the printed

journals of such houses, respectively, published by authority of law, shall be admitted as sufficient evidence thereof in all cases.

History: *(9853) RL s 4699*

599.13 MUNICIPAL AND COUNTY ORDINANCES.

Copies of the ordinances, bylaws, resolutions, and regulations of any city, town, or county, certified by the mayor or president of the council, and the city clerk under its seal in the case of a city, or the chair of the town board and the town clerk in the case of a town, or by the county auditor or chair of the county board in the case of a county, and copies of the same printed in any newspaper, book, pamphlet, or other form, and which purport to be published by authority of the council of such city or county board, shall be prima facie evidence thereof and, after three years from the compilation and publication of any such book or pamphlet, shall be conclusive proof of the regularity of their adoption and publication.

History: *(9854) RL s 4700; 1973 c 123 art 5 s 7; 1974 c 571 s 50; 1986 c 444; 1990 c 361 s 2*

599.14 RECORDS OF SURVEYS, EVIDENCE WHEN.

Records of surveys made by any municipality, including field notes, profiles, plats, plans, and other files and records of such department, shall be prima facie evidence in all courts of the correctness of the facts shown and statements made therein.

History: *(9857) RL s 4703; 1998 c 324 s 8*

599.15 COPIES OF DECISIONS, CERTIFIED BY LIBRARIAN.

Copies of judicial decisions contained in any of the law or equity reports in the state library, and of any other papers or documents contained in such library, certified by the state librarian, shall be received in evidence in like manner and with like effect as the originals. For making and certifying any such copy, the librarian shall be entitled to charge 15 cents a folio.

History: *(9858) RL s 4704*

599.16 LAND OFFICE RECEIPTS, EVIDENCE OF TITLE.

The receipt or certificate, signed by the register or receiver of any United States land office, of the entry or purchase of any tract of land, or the location of any tract by a land warrant, shall be prima facie evidence of title to the lands described in such receipt or certificate in the person named therein. Such receipt or certificate may be filed for record with the county recorder of the county where the land is located, with like force and effect as a conveyance of real estate.

History: *(9889) RL s 4732; 1976 c 181 s 2*

599.17 LAND OFFICE CERTIFICATE, EVIDENCE OF TITLE.

The certificate of the register or receiver of any United States land office, showing when, how, and by whom any lands within this state were entered under the homestead, preemption, or timber-culture laws of the United States, shall be prima facie evidence that the person named therein was at the date of such entry the owner in fee of such lands.

History: *(9890) RL s 4733*

599.18 CERTIFICATE OF DEPARTMENT OFFICER.

The certificate of any officer of any department of the United States government to any fact appearing of record in the officer's department, authenticated by an official seal, if the officer has one, shall be prima facie evidence of such fact.

History: *(9891) RL s 4734; 1986 c 444*

599.19 PATENTS AND DUPLICATES.

Patents of land issued by the United States, or duplicates thereof from the records in the general land office, certified by the commissioner of such land office, may be filed for record with the county recorder of the county in which such land lies. Such records, or certified copies thereof, shall be evidence in like manner and to the same extent as the records or copies of other conveyances.

History: *(9893) RL s 4735; 1976 c 181 s 2*

599.20 PLATS OF SURVEYS FROM LAND OFFICE; CERTIFICATE OF COUNTY SURVEYOR.

Any plat of a survey of public lands, certified by the register of the United States land office of the district in which such land is situated to be a true copy of the certified copy of the original on file in the register's office, and any certificate by such register of the surveys or entry and location of, or other facts in relation to, such lands, taken from the books of such land office, or from the certificate endorsed on the copy of the original plat on file therein, are prima facie evidence of the facts therein stated. The certificate of any county surveyor or deputy shall be evidence of the facts therein stated, but may be explained or rebutted by other testimony.

History: *(9894) RL s 4736; 1986 c 444*

599.21 [Repealed, 1983 c 359 s 151]

599.22 [Repealed, 1983 c 359 s 151]

599.23 [Repealed, 1983 c 359 s 151]

599.24 EXEMPLIFICATION OF JUDGMENT IN ANOTHER STATE.

An exemplification of a judgment rendered by any justice of the peace in any state, certified by such justice or the justice's successor in office to be a full and correct copy from the justice's docket of all the proceedings in that case, with a certificate of magistracy thereon, signed by a court administrator of a court of record in the county where such judgment was rendered, and authenticated by the seal of such court, shall be evidence in any court of this state of the facts contained in such exemplification.

History: *(9885) RL s 4728; 1986 c 444; 1Sp1986 c 3 art 1 s 82*

599.25 MINUTES OF CONVICTION AND JUDGMENT.

A copy of the minutes of any conviction and judgment, with a copy of the indictment on which the conviction was had, duly certified by the clerk in whose custody they are, shall be evidence of such conviction and judgment, without the production of the judgment roll.

History: *(9880) RL s 4723*