

CHAPTER 544

PLEADINGS

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NOTE: For rules of civil procedure, district court, see Appendix 8.

544.01 [Repealed, 1974 c 394 s 12]

544.02 [Repealed, 1974 c 394 s 12]

544.03 [Repealed, 1974 c 394 s 12]

544.04 [Repealed, 1974 c 394 s 12]

544.043 DEFAMATION BY TELEVISION AND RADIO; DEFENSE. The owner, licensee or operator of a visual or sound radio broadcasting station or network of stations, or any agent or employee of any such owner, licensee, or operator, is not liable for damages for any defamatory statement published or uttered in or as a part of a visual or sound radio broadcast, by any one other than such owner, licensee, or operator, or agent or employee thereof, if such owner, licensee, operator, or such agent or employee, shows that he has exercised due care to prevent the publication or utterance of the statement in that broadcast. Provided, however, the exercise of due care shall be construed to include a bona fide compliance with any federal law or the regulation of any federal regulatory agency.

The provisions of this section shall not affect any action or proceeding now pending or which shall be commenced within six months after the passage thereof, in any of the courts of the state.

[1951 c 532 s 1; 1953 c 680 s 1,2; 1957 c 739 s 1]

544.05 [Repealed, 1974 c 394 s 12]

544.06 [Repealed, 1974 c 394 s 12]

544.07 [Repealed, 1974 c 394 s 12]

544.08 [Repealed, 1974 c 394 s 12]

544.09 [Repealed, 1974 c 394 s 12]

544.10 [Repealed, 1974 c 394 s 12]

544.11 [Repealed, 1974 c 394 s 12]

544.12 [Repealed, 1974 c 394 s 12]

544.13 [Repealed, 1974 c 394 s 12]

544.14 [Repealed, 1974 c 394 s 12]

544.15 SUBSCRIPTION AND VERIFICATION. Every pleading may be verified in the manner following:

(1) By the affidavit of the party, or of one or more of the parties pleading together, that the affiant knows the contents of the pleading, that the averments thereof are true of his own knowledge, save as to such as are therein stated on information and belief, and that as to those he believes them to be true;

(2) If the party be a corporation, the affidavit may be made by any officer thereof having knowledge of the facts sworn to; if the state, or any officer thereof acting in its behalf, by the attorney general;

(3) If no party or officer acquainted with the facts and capable of making such affidavit be within the county where the attorney resides, the pleading may be verified by the attorney or agent of the party, stating the fact of such absence and that the pleading is true to the best of his knowledge and belief.

[RL s 4142; 1974 c 394 s 8] (9265)

- 544.16 [Repealed, 1974 c 394 s 12]
- 544.17 [Repealed, 1974 c 394 s 12]
- 544.18 [Repealed, 1974 c 394 s 12]
- 544.19 [Repealed, 1974 c 394 s 12]
- 544.20 [Repealed, 1974 c 394 s 12]

544.21 INCORPORATION, PLEADING AND PROOF. In actions by or against a corporation, domestic or foreign, it shall be a sufficient averment of its incorporation to allege, in substance, that the party is a corporation duly organized and existing under the laws of the designated state, country, or place. Unless the adverse party shall specifically aver that the plaintiff or defendant is not a corporation, no proof thereof shall be required at the trial.

[*RL s 4148*] (9271)

544.22 PARTNERSHIPS; PROOF AS TO MEMBERS. When two or more persons sue or defend as copartners they may give in evidence any contract admissible under the pleadings. Unless the partnership is specifically denied by the adverse party, no proof shall be required that they are the same persons who composed such copartnership when the contract was made or at any subsequent time.

[*RL s 4149*] (9272)

- 544.23 [Repealed, 1974 c 394 s 12]
- 544.24 [Repealed, 1974 c 394 s 12]
- 544.25 [Repealed, 1974 c 394 s 12]
- 544.26 [Repealed, 1974 c 394 s 12]
- 544.27 [Repealed, 1974 c 394 s 12]
- 544.28 [Repealed, 1974 c 394 s 12]
- 544.29 [Repealed, 1974 c 394 s 12]
- 544.30 [Repealed, 1974 c 394 s 12]
- 544.31 [Repealed, 1974 c 394 s 12]
- 544.32 [Repealed, 1974 c 394 s 12]
- 544.33 [Repealed, 1974 c 394 s 12]
- 544.34 [Repealed, 1974 c 394 s 12]
- 544.35 [Repealed, 1974 c 394 s 12]

544.36 AD DAMNUM; LIMITATION. In a pleading in a civil action which sets forth an unliquidated claim for relief, whether an original claim, cross-claim, or third-party claim, if a recovery of money is demanded in an amount less than \$50,000, the amount shall be stated. If a recovery of money in an amount greater than \$50,000 is demanded, the pleading shall state merely that recovery of reasonable damages in an amount greater than \$50,000 is sought.

This section may be superseded by an amendment to the rules of civil procedure adopted after July 31, 1978.

[*1978 c 738 s 3*]