

**IN THE IOWA DISTRICT COURT FOR THE FIFTH JUDICIAL DISTRICT**

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**IN RE: PRIORITIZATION OF  
ASSIGNMENT OF CASES AND  
RULING TIME – POLK COUNTY FOR  
2023**

**2<sup>nd</sup> AMENDED  
ADMINISTRATIVE ORDER 2022-16  
(Ex. A Only)**

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Cases involving child custody, physical care, visitation, and child support (hereinafter “Children’s Justice Cases”) shall be afforded priority for purposes of scheduling, hearing, and disposition. Among other case types, dissolution of marriage cases not involving children and civil actions for recovery of money damages are not as high priority as Children’s Justice Cases. The Court has previously determined that it is necessary to adjust the assignment to reflect the priorities and to provide scheduled ruling time for the proper disposition of cases. The Court has previously increased the number of non-jury weeks to accommodate trials of non-jury cases including priority matters such as Children’s Justice Cases, post-conviction relief matters and non-jury criminal cases.

**NOW THEREFORE IT IS HEREBY ORDERED:**

1. For 2023, Court Administration shall maintain the number of jury weeks and non-jury weeks in accordance with the calendar attached as Exhibit “A” and pursuant to Administrative Orders 2010-56 and 2011-28.
2. Court Administration shall schedule civil matters for trial in accordance with the scheduling matrix attached as Exhibit “B”.
3. In accordance with this matrix, Court Administration shall schedule two Children’s Justice Cases for three (3) days or longer trials on Mondays, or Tuesdays following a Monday holiday, in both jury and non-jury weeks. These trials shall be scheduled as soon as possible after completion of mediation. These trials shall be scheduled for one continuous session and shall be tried to conclusion. These trials shall have priority in the assignment ahead of all other civil matters.
4. During jury weeks, Court Administration shall schedule civil jury trials at least three (3) cases deep to commence on Mondays on each of the ten (10) general trial dockets in accordance with the matrix. In consultation with the Chief Judge, Court Administration shall monitor and adjust the trial assignments among the general trial

dockets to maximize the available trial dates and to equalize the workload. However, due to the reduction in the number of available General Trial Judges, Court Administration may schedule trial dates beyond the applicable time standards as necessary in consultation with the Chief Judge on a case-by-case basis.

5. All scheduled trial dates shall be considered firm. There shall be no stand-by cases. Court Administration shall not bump a case for lack of an available judge, court reporter or courtroom. Bumping decisions shall only be made by the Chief Judge or the Assistant Chief Judge.

6. Judges assigned to the General Civil Trial docket shall have two scheduled ruling days per month per attached Exhibit "C." When a trial extends into a judge's regularly scheduled ruling day, Court Administration shall roll the judge's ruling day over to the next Thursday as possible. However, if a judge would be assigned a new case on his or her ruling day, the status of that case shall be referred to the Chief Judge or the Assistant Chief Judge for a determination on whether the case should be continued to a future date. The case scheduler shall consult the affected judge regarding his or her preferences on the situation, and his or her Rule 22.10 Report status, and shall report the same to the Chief Judge or Assistant Chief Judge. Only the Chief Judge or the Assistant Chief Judge shall decide whether to bump a case.

7. This Order shall be effective January 2, 2023.

SO ORDERED this 19<sup>th</sup> day of July, 2023.



MICHAEL D. HUPPERT, CHIEF JUDGE  
FIFTH JUDICIAL DISTRICT OF IOWA

Copies to:

Chief Justice Susan Christensen, Iowa Supreme Court  
Liaison Justice Edward Mansfield, Iowa Supreme Court  
State Court Administrator, Bob Gast  
Fifth Judicial District Judges, Staff and Stakeholders by e-mail and

# 2023

January							February							March						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25
29	30	31					26	27	28					26	27	28	29	30	31	
April							May							June						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1		1	2	3	4	5	6					1	2	3
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	
30																				
July							August							September						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5						1	2
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23
23	24	25	26	27	28	29	27	28	29	30	31			24	25	26	27	28	29	30
30	31																			
*October							November							December						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4						1	2
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
														31						

\*Two non-court days have been added in October to accommodate a CLE for the 2023 calendar year.

\*\*Criminal jury trials only shall be scheduled during this week.



	NON-JURY WEEK (with Monday Holidays)	NON-JURY WEEK (with Thurs. or Fri. Holidays)	NON-JURY WEEK (without holidays)
Monday	2 CJ cases 3 days or longer, and 3 JT 3 cases per general trial docket	HOLIDAY	2 CJ cases 3 days or longer, and 3 NJT 3 days or longer per general trial docket
Tuesday	3 Fam up to 3 days long at 9, 1 Fam at 10, and 2 Fam at 1:30	2 CJ cases 3 days or longer, and 3 NJT 3 days or longer per general trial docket	3 NJT up to 2 days long per general trial docket
Wednesday	3 Fam 1 -2 days at 9, 1 Fam at 10, and 2 Fam at 1:30	3 NJT up to 2 days long per docket	3 day NJT 1 day long per general trial docket
Thursday	3 Fam 1 day at 9, 1 Fam at 10, and 1 Fam at 1:30	3 NJT 3 1 day long per docket	3 NJT 1 day long per general trial docket
Friday	Judges Schedule**	HOLIDAY	Judges Schedule**

<b>CJ = Children's Justice Cases: District Court Family Law Cases involving child custody, physical care, visitation and/or support</b>		each judge will receive 2 scheduled ruling days per month on the general trial docket.
<b>Fam = District Court Family law trials or hearings longer than 2 hours, any subject matter including Children's Justice issues</b>		
<b>NJ = Any district court civil non-jury trial or hearing</b>		
<b>JT = Any district court civil jury trial</b>		
<b>* All PCR hearings scheduled through the Case Coord.</b>	<b>**Ct Attd/Jud Asst. schedule ONLY 8-9 a.m. Mon. through Thurs.; and all day Friday. All other times scheduling ONLY through the Case Coordinators.</b>	<b>*** If a judge schedules a case into a week already booked, causing a case to be bumped, the bumped case will be rescheduled on that judge's docket.</b>
		<b>****If any case is continued by a judge, that case is permanently moved to that judge's docket and tried by the judge who continued it.</b>
		<b>++ Weddings shall not be scheduled Mon.-Thur. between 9 a.m. - noon; and 1:30-4:30 p.m. including walk-in ceremonies.</b>

## **Second Amended Administrative Order 2022-16 Exhibit C**

### **Judges' Ruling Day Schedule for 2023**

#### **Group A (1<sup>st</sup> & 3<sup>rd</sup> Thursday)**

Scott J. Beattie  
William P. Kelly  
David W. Nelmark  
Scott D. Rosenberg  
Paul D. Scott

#### **Group B (2<sup>nd</sup> & 4<sup>th</sup> Thursday)**

Robert B. Hanson  
Coleman J. McAllister  
David M. Porter  
Joseph W. Seidlin  
Jeanie K. Vaudt