



Letters of Appointment

Letters of Appointment Changes

The clerks of court have new guidelines for letters of appointment. These changes are based on Iowa Code 633.178. Here is a summary of the new procedures as they will affect fiduciaries in all counties.

1. The clerks will no longer accept letters of appointment submitted to them by attorneys and other filers. Upon the filing of an oath of office, or certification and a bond, the clerk will issue the letters of appointment in a newly approved format.
2. The letters will contain the seal of the clerk of court and the clerk's signature. In counties where the Electronic Document Management System (EDMS) is in use, the clerk's signature will be an electronic signature, in compliance with the Chapter 16 rules.
3. The clerk will no longer certify any new or reissued letters, as this is not consistent with the Iowa Code. However, upon request, the clerk will affix a raised seal to the letters.
4. If there are multiple fiduciaries, the clerk will not issue any letters until all fiduciaries are qualified (by oath, etc.), and the issued letters of appointment will contain all fiduciaries on one document. Separate letters will not be issued for multiple fiduciaries.
5. No fee will be collected for issuing letters of appointment.
6. In EDMS counties, the LEAP document will be available on the docket.
7. Letters, once issued, are valid until the probate case is closed or until there is a change in fiduciary and the court orders that new letters of appointment be issued.
8. No letters of appointment will be issued once the estate is closed.