

Status Quo Operating Budget for Courts Means No Cuts

Near the end of the session, the legislature approved a bill that raises a substantial amount of court generated revenue and directs the money to a group of justice system agencies and to the courts. With the revenue provided from this bill along with the amount appropriated for court operations in another bill, the judicial branch will have a nearly fully funded budget next fiscal year. This funding is enough to cover most of the cost of the salary increases for judges and court employees approved by the legislature.

“The budget outlook for the judicial branch this coming fiscal year is good,” said Chief Justice Lavorato. “The court is immensely grateful to the legislature for its support of the court system as well as its support of the people who carry out the work of justice everyday.”

Chief Justice Lavorato added, “I want to thank, recognize and commend State Court Administrator David Boyd and Bert Aunan, our legislative liaison, for their tremendous effort all session. They worked closely with key legislators to help us achieve a positive budget outcome.”

The appropriation for the judicial branch operating budget for fiscal year 2007 is

\$123.2 million, the same amount appropriated for the current year. The appropriation to the judicial retirement fund is \$2,039,664, which sets the state’s contribution at 9.16% of salaries. Both appropriations are contained in House File 2557.

Another bill, House File 2775, raises \$11.3 million through increased court fees and OWI fines. Of the amount raised, approximately \$7 million will be allocated to the judicial branch for court operations, and the remainder will be shared by the department of corrections for a facility in Newton, the state public defender’s office for indigent defense court-appointed counsel fees, and the attorney general for legal services poverty grants.

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2006 Legislation

The following list is a summary of bills approved by the general assembly and of interest to the courts. Many of the bills listed are awaiting the governor's approval. To find the complete text and history of a bill visit www.legis.state.ia.us and click on "track legislation."

Judicial Branch Sponsored Bills

- SF 2362: **Mental health and substance abuse commitments; county attorney may present evidence; waiving the presence of physician**
- SF 2341: **Eliminate involvement of courts and clerks in procedures to admit indigent psychiatric patients to U of I hospital**
- SF 2304: **State coverage of interpreters used for juveniles in juvenile court proceedings; payment of claims by state public defender**
- HF 711: **Appointment of chief JCO by chief judge**
- HF 2775: **Miscellaneous court fees and cleanup; enhanced court collections fund**
- SF 2342: **DAJ population formula; DAJ/magistrate conversion; AJJ/DAJ substitution**
- HF 2740: **Miscellaneous court procedures and clean-up**
- SF 2285: **Electronic access to presentence investigation reports**

Appropriations

- HF 2557: **Judicial Branch appropriations for operations—\$123.2 million; for judicial retirement—\$2,039,664, or 0.16% for state contribution.**
- HF 2558: **Appropriations to justice system agencies**
- HF 2238: **Block Grants**
- HF 2789: **Raises \$11 million in court-generated revenue. Increase court fees for simple misdemeanor and indictable crimes; increases fines for OWI convictions; allocates funds to indigent defense, department of corrections, legal aid, and judicial branch; increases court-appointed counsel fees**
- HF 2734: **DHS appropriations, including funds for juvenile institutions, court-ordered treatment, foster care, and juvenile drug courts**
- SF 3232: **Transportation**

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Iowa Bench Press
State Court
Administrator's Office
Judicial Branch Building
1111 E. Court Avenue
Des Moines, IA 50319
Fax: (515) 281-3043

Editor: Rebecca Colton
V. P. Production: Cheryl Thrailkill
Contributors: Leesa McNeil, Jerry Beatty, John Goerd, Judge Scieszinski, Judge Baumgartner

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www.judicial.state.ia.us

2006 Legislation

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- HF 2782, SF 2400: **Infrastructure**
- HF 2797: **Standings/Salary Bill**. Among other things, this bill provides salary increases to state officials and employees, including the second year of judicial salary increases recommended by the ISBA Judicial Compensation Task Force.

Civil

- HF 2351: **Limitations on eminent domain powers; court review of proposed condemnation**
- HF 2522: **Praeipce fee taxed against debtor**
- HF 2233: **Extend time limit on execution to 120 days**
- HF 2695: **FED; small claims**
- HF 2716: **Civil action for injury or death, med mal, evidence of regret**
- SF 2301: **Exemptions from bankruptcy and execution**

Criminal

- SF 2219: **Human trafficking**
- SF 2267: **Enhanced penalties for traffic accident that causes injury or death**
- SF 2319: **Discarding waste and littering; special allocation of fines**
- SF 2327: **Information used for warrant**
- HF 2365: **Funeral disorder**
- HF 2525: **DOT; proof of financial responsibility**
- HF 2571: **Intelligence assessment data; DPS**
- HF 2612: **Boating accidents**
- HF 2624: **Statute of limitations to file indictment for certain felonies**
- HF 2652: **Protective and no-contact orders; new chapter**
- HF 2696: **Disposal of controlled substances and evidence**

Family

- SF 2252: **Adoption petition elements**
- SF2290: **Adoption attorney fees and state subsidy**
- HF 2332: **CSRU income withholding; modification of support**
- HF 2463: **Court jurisdiction in family law after adoption**

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Juvenile

- **HF 2567: Foster care pilot project**
- **HF 2651: Introduces new restrictions on public access to juvenile delinquency records**
- **HF 2672: Attorney fees and appointed counsel for 600A termination cases**

Miscellaneous

- **SF 2207: Publication of official notice**
- **SF 2264: County recorders duties**
- **HF 537: Investment of public funds**
- **HF 2593: Lobbyists**
- **HF 2686: ICN**
- **HF 2705: DAS operations**

Probate

- **HF 2147: Conservator for dependent adult abuse emergency**
- **HF 2742: ISBA bill; trusts**

Records

- **HF 2590: Confidential status for government security and emergency plans; rules**

State Personnel

- **HF 729: IPERS and Judicial Retirement Fund**
- **HF 2245: IPERS technical**
- **SF 2231: Sick leave**

###

2005 Judicial Branch Awards

Seven court officials and a volunteer mediator were recognized last month as the recipients of the 2005 Judicial Branch Awards. In addition to local ceremonies, the recipients will be honored by the Judicial Council and Supreme Court at a ceremony and reception in the Judicial Branch Building in Des Moines on Tuesday, June 20 at 3 p.m.

“It’s a great privilege to recognize this group of thoroughly dedicated and selfless individuals for their extraordinary service to the courts and the public,” said Chief Justice Louis Lavorato. “They have each made a big difference in the lives of many people. For this and more, they have our thanks and admiration.”

Amicus Curiae Award

Harlan Lekowsky, a volunteer mediator with the Polk County Small Claims Mediation Program for over 19 years, is the recipient of the Amicus Curiae Award. The purpose of this award is to recognize persons who contribute to the administration of justice or who have contributed to building



Harlan Lekowsky

public support for the judiciary. Mr. Lekowsky is being honored for his efforts as an experienced volunteer mediator for the Polk County mediation program.

“Harlan is a gifted mediator—a natural peacemaker—and during his tenure he has faithfully served one day a week for 19 years,” says Judge Carol Coppola. “Each week he handles from three to twelve cases, and has a resolution rate exceeding 90%. Also, over 90% of people who answer the program’s customer surveys rate Mr. Lekowsky’s skills as excellent.”

Because of his exceptional mediation skills the court

assigned Mr. Lekowsky to mediate other types of court cases involving sensitive or volatile disputes. According to Judge Coppola, Mr. Lekowsky mediated a dispute between two sisters over a failed business venture. Before the mediation the sisters hadn’t spoken to each other in months. Within 45 minutes, Mr. Lekowsky had the case settled and the sisters “walked out of the courthouse, arm-in-arm.”

In addition to his work for the Polk County program, Mr. Lekowsky has been instrumental in establishing other small claims mediation programs around the state by working as a trainer and mentor.

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Judicial Branch Awards

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Distinguished Service Award

Sharon Modracek, Clerk of Court for both Linn County and Jones County, is the recipient of the Distinguished Service



Sharon Modracek

Award. This award is to recognize a court employee who has at least ten years of service in the court system, has exemplified a sustained level of exceptional service to the courts, has demonstrated a strong commitment to public service, and has continuously initiated efforts to improve the administration of justice in Iowa.

Ms. Modracek, who has worked for the Linn County Clerk of Court Office for 30 years, is being honored

for her wide-ranging activities over the years to improve the operation of clerk of court offices and the overall administration of justice. Over the years, she has served on a number of court committees, including the Sixth Judicial District Awards Committee, the judicial branch legislation monitoring group, the Linn County Courthouse Security Committee, and the judicial branch committee responsible for the assisting with the computerization of the court docket records.

Ms. Modracek has been Clerk of Court for Linn County since 1991 and also Clerk of Court for Jones County since 2003. During this time she has expertly steered the clerk's office through many changes and challenges. She worked closely with county officials to remodel and restructure the office. She managed the merger of the Linn County Friend of Court, a county office responsible for collecting and distributing child support payments, with the clerk's office. In 1993, when flood waters spilled into the clerk's off-site record storage facility, she and her staff worked to save most of the court

records from damage. Also, Ms. Modracek managed her office through five years of serious budget cuts, including staff lay-offs and reorganization.

According to some of her courthouse colleagues, "[Sharon] has the courage and willpower to make tough decisions. She can handle the complexities of both a large and small county office. She delegates well and is adept at developing the managerial skills of her supervisors."

Court Innovation Award Associate Juvenile Judge

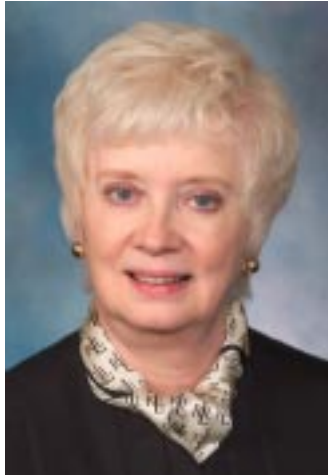
Karla Fultz, Polk County, is the recipient of the Court Innovation Award. The purpose of the Innovation Award is to recognize a court official who has demonstrated leadership in the development and implementation of an innovative program or process that has improved the delivery of court services.

Judge Fultz, who has been a juvenile court judge for 13 years, is being honored for her work with the Polk County Family Drug Court.

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*Associate Juvenile Judge
Karla Fultz*

Judge Fultz was instrumental in the creation of the Family Drug Court, a collaborative effort between the juvenile court, the Polk County Attorney's Office, the Department of Human Services, the House of Mercy, and other service agencies. The program seeks to help parents with substance abuse problems whose children are the subject of a juvenile court case. The program helps parents overcome their drug addiction and other negative behaviors through intensive supervision and treatment, backed by a strong support system.

"I have seen parents work harder to address their problems as they know they will see Judge Fultz on a frequent basis," says

Attorney Nicole Garbis Nolan, who works for the Youth Law Center in Des Moines and who nominated Judge Fultz for the award. "They have the incentive of increased judicial oversight as well as the knowledge that someone cares about them and is there to encourage and praise their accomplishments."

According to Ms. Nolan, 63% of the parents in Family Drug Court are addicted to methamphetamine. Since the program began, 92 families have participated in the program; 74% of the families complete the program.

Nolan adds that Judge Fultz has developed and implemented a "respected and successful program, without formal funding, that improves and enhances the court services for those under her jurisdiction and addresses one of the significant problems facing Iowa today."

Meritorious Service Award

The Meritorious Service Award was established to recognize court personnel who have maintained a high level of service to the public

and to the courts. There are five awards, one for each of the following court components: part-time judicial officers, administration, juvenile court services, clerk of court offices, and court reporters.

Part-time Judicial Officers

Johnson County Magistrate Marsha Bergan, who has served on the bench for 12 years, is the recipient of one of five Meritorious Service



Magistrate Marsha Bergan

Awards. Magistrate Bergan is being honored for her high standards of professionalism as a magistrate and for her work with the

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Judicial Branch Awards

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Johnson County Small Claims Mediation Program, which she helped establish and has been involved with since its inception.

“Magistrate Bergan has been a consistent source of encouragement and insight. Her involvement has been instrumental in this endeavor,” says Barbara Musgrove, Director of the Iowa County Small Claims Mediation Program.

Magistrate Bergan served on the state project committee that designed web-based training programs for judges. She presently serves on the Iowa Board of Law Examiners, which assists the Iowa Supreme Court by administering the bar examination. Magistrate Bergan serves on the board of the Iowa Magistrate Association.

Magistrate Karen Egerton describes Magistrate Bergan as “The standard of what a lawyer and magistrate should be: hardworking, honest; balanced, unbiased, and respectful to all.”

Administrative Employee

Phyllis Woll, Sioux City, a 28-year employee of the judicial branch, is another



Phyllis Woll

recipient of the Meritorious Service Award. She works for district court administration in the Third Judicial District as a finance and personnel manager. Ms. Woll is being honored for her knowledgeable and courteous assistance to the public, excellent communication skills, willingness to help wherever and whenever needed, readiness to learn new skills and accept new responsibilities.

“It is the non-routine that Phyllis does that gives rise to the level of distinguished service,” says District Court Administrator Leesa McNeil. “It is not unusual to see Phyllis cover the front counter during staff shortages, load books for deliveries, print jury instruc-

tions, work after hours on personnel information, or work through the challenges of grant funding. Phyllis is a can-do person.”

Juvenile Court Services Juvenile Court Officer

Kathleen Sallee, Waterloo, is the recipient of the Meritorious Service Award for Juvenile Court Services. Ms. Sallee began her career working with children 35 years ago as a social worker. She has been a juvenile court officer with the court system for 32 years. Ms. Sallee supervises juvenile court intake and diversion units. She is being recognized for her leadership efforts to improve the operation of



Kathleen Sallee

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Judicial Branch Awards

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juvenile court services, both locally and statewide, as well as her long professional commitment to working with children.

Over the years, Ms. Sallee has served on numerous local and state court committees devoted to the best interest of young people involved in the juvenile court system. She also serves on a state juvenile court technology user group. Ms. Sallee has been involved in the development of several innovative programs, including a program to develop a new screening procedure for juvenile mental health and substance abuse cases. She is a guest speaker at UNI social work classes, she recruits college students to serve as interns for the juvenile court office, she helps with a mentoring program at a local elementary school, and each year she organizes an educational program for fifth grade students.

“Kathleen promotes teamwork and is quick to assist others when the situation arises. She takes every opportunity to grow in her job and does not back away from difficult

tasks,” says Chief Juvenile Court Officer Ruth Frush, First Judicial District.

**Clerk of Court Office
Jeri Collins, Ft. Dodge,** who has worked for the court system for 17 years,



Jeri Collins

is the recipient of the Meritorious Service Award for Clerk of Court Offices. Ms. Collins works in the Webster County Clerk of Court Office as the first assistant to the clerk. She is being recognized for her high standards of professionalism and exceptional efforts every day to serve the public.

“Jeri’s commitment extends beyond hard work,” says District Court Judge Kurt Wilke, who nominated Ms. Collins for the award. “Throughout her career she has shown by example that

the first and foremost obligation of the clerk’s office is to serve the public. She is a most valuable representative for the courts.”

According to Judge Wilke, after Ms. Collins began her job with the clerk’s office she “willingly took on every task presented to her with the intention of learning all she could about the duties of the office.” At the same time, she attended college night courses and eventually obtained a college degree. More recently, Ms. Collins served as the acting clerk of court for Webster County.

“Her co-workers, colleagues from other clerks’ offices, lawyers and others turn to Ms. Collins regularly for advice and information,” says Judge Wilke, who adds that Ms. Collins is “recognized as the problem solver within her office.”

Court Reporter

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Court Reporter Michael Hand, Mt. Pleasant, is another winner of the Meritorious Service Award. Mr. Hand, a 31-year employee of the court system, is being honored for extra efforts to serve the



Michael Hand

public and an outstanding record of service to the courts.

Attorney Douglas Tindal,

who nominated Mr. Hand for the award, says Mr. Hand is helpful to lawyers in court, provides helpful information and timely and polite suggestions to help keep the records accurate. He exemplifies the best qualities of an official court reporter.”

Mr. Hand currently works with District Judge Cynthia Danielson, who says: “Mike brings to the job first and foremost a work ethic that is unmatched. His years of experience have given him a wealth of knowledge of the courts and the law which he is quick to share with new

reporters, attorneys and, yes, even new judges. His mentoring has been invaluable to all.”

Judge Danielson adds: “Mike is constantly looking at ways to improve the court system and is open to new ideas and thinking if it will assist the courts and litigants or maximize our ability to do our work with the resources available.”

Congratulations to all!

- **Amicus Curiae Award**—Harlan Lekowsky, a volunteer mediator with the Polk County Small Claims Mediation Program
- **Distinguished Service Award**—Sharon Modracek, Linn County Clerk of Court
- **Court Innovation Award**—Associate Juvenile Judge Karla Fultz, Polk County
- **Meritorious Service Awards for Part-time Judicial Officer**—Johnson County Magistrate Marsha Bergan.
- **Meritorious Service Award for Administration**—District Finance and Personnel Manager Phyliss Woll, Sioux City.
- **Meritorious Service Award for Juvenile Court Services**—Juvenile Court Officer Kathleen Sallee, Waterloo
- **Meritorious Service Award for Clerk of Court Office**—Trial Court Supervisor Jeri Collins, Ft. Dodge
- **Meritorious Service Award Court Reporter**—Court Reporter Michael Hand, Mt. Pleasant

New Faces

Domestic Abuse: **Kimberly Baxter**, *Des Moines*, Dir. of Iowa Accountability Program; **Becky Kinnamon**, *Des Moines*, Domestic Abuse Intervention Coordinator.

ICIS: **Richard Cooks**, *Des Moines*, PC Specialist; **Bernard Gaumer**, *Des Moines*, **Linda McVey**, *Des Moines*, Information System Specialists.

District 1: **Thomas Straka**, *Dubuque*, Associate Juvenile Judge; **John Nemmers**, *Dubuque*, Magistrate; **Jennifer Teymer**, *Independence*, **Julie Langreck**, *Cresco*, Judicial Clerks; **Josh Henningsen**, *Waterloo*, Law Clerk.

District 3: **Margaret Drost**, *Emmetsburg*, **Amanda Collins**, *Sioux City*; **Michelle McCord**, *Storm Lake*, **Donna Shea**, *Primghar*, **Michele Mason**, *Spencer*, **Teresa Eakin**, *Spirit Lake*, Judicial Clerks; **Virginia Sipes**, *Sioux City*, Legal Assistant.

District 4: **Mary Schnackenberg**, *Council Bluffs*, Judicial Clerk; **Brian Mensen**, *Red Oak*, Magistrate.

District 6: **Jolene Hackert**, *Cedar Rapids*, **Elizabeth Cress**, *Cedar Rapids*, Judicial Clerks; **Kelly Marra**, *Cedar Rapids*, Legal Assistant; **Brian Burroughs**, *Cedar Rapids*, Court Attendant.

District 7: **David Tristan**, *Davenport*, Juvenile Court Officer.

District 8: **Lynn Perkins**, *Montezuma/Oskaloosa*, **Chandra Tanke**, *Montezuma*, **Fern Bontrager**, *Washington*, Judicial Clerks; **Linda Fear**, *Mt. Pleasant*, Court Attendant.

Milestones: Service Anniversaries

25 Years

Connie Severson, Judicial Clerk, *Clay County*.

Kathleen Young, Judicial Clerk, *Kossuth County*.

Jeffrey Roos, Clerk of Court, *O'Brien County*.

Judith Johnston, Clerk of Court, *Jasper County*.

Sandra Shelton, Judicial Clerk, *Lucas County*.

Martin Appelt, Juvenile Court Officer, *Woodbury County*.

Brenda Gaston, Judicial Clerk, *Van Buren County*.

Rebecca Diani, Juvenile Court Officer, *Bremer County*.

Celia Curry, Court Reporter, *Polk County*.

Thomas Waugh, Court Attendant, *Pottawattamie County*.

Stephen Clarke, District Court Judge, *Black Hawk County*.

J. Irvin, District Court Judge, *Page County*.

Janis Lavorato, Court Reporter, *Polk County*.

Vicki Martin, Judicial Clerk, *Johnson County*.

Mara Zegarac-Jasper, Information Systems Spec., *Black Hawk County*.

Timothy Zwiener, Judicial Clerk, *Johnson County*.

John Miller, Court of Appeals Judge, *Polk County*.

Ruth Godfrey, Clerk of Court, *Pottawattamie County*.

Annette Baumhover, Judicial Clerk, *Carroll County*.

Lana Appeldorn, Judicial Clerk, *O'Brien County*.

Susan Minikis, Judicial Clerk, *Webster County*.

30 Years

Kathleen Mueller, Judicial Clerk, *Muscatine County*.

Sharon Modracek, Clerk of Court, *Linn County*.

Patricia Holland, Clerk of Court, *Hancock County*.

Donna Wagoner, Judicial Clerk, *Page County*.

Steven McKillip, Judicial Clerk, *Muscatine County*.

Mary Gray, Judicial Clerk, *Emmet County*.

Ronald Besch, Magistrate, *Jackson County*.

Sandra Dains, Case Coordinator Specialist, *Johnson County*.

Patricia Freund, Clerk of Court, *Boone County*.

Ronald Besch, Magistrate, *Jackson County*.

Sandra Daine, Case Coordinator Specialist, *Johnson County*.

Woodbury County Goes Olympic



Summer Olympic Celebration - (left to right) Rochelle Ptak, Tami Van Patten, Ljpe Boykin, Julie Jones, Amy Bernston and Nancy Wilson



LEC clerk office staff of Woodbuy county celebrated the Winter Olympics by decorating the office and themselves during the month long event. All staff wore photo ID tags identifying which winter event they were participating in. For closing ceremonies, an Italian theme potlocuk luncheon was held. The staff had previously celebrated the Summer Olympics by dressing in togas.

People's Law School

People's Law School was held at the Polk County Courthouse on May 2. District court judges, supreme court justices and attorneys spoke on a variety of topics including criminal law, drug court, family law and small claims court. Attendees could meet the judges and ask questions in the open courtrooms.



Interpreters for the deaf and Spanish speaking were available. Pictured are (from left) Associate Juvenile Judge Karla Fultz, District Court Judge Douglas Staskal and Diana Kautzky, ASL Interpreter.



Justice David Wiggins and Chief Justice Louis A. Lavorato spoke on the separation of branches and balance of power in the government structure.

District 8 Gets Spring Cleaning Fever



District Eight staff members Cathy Reck and Chris Sinnott headed north to deliver furniture and equipment to state surplus. They made stops in Mahaska and Poweshiek counties before traveling to Des Moines.

Pictured standing left to right: Chris Sinnott, Judy Crouse, Cathy Reck, and Evelyn Thomann. Seated: Sandy Anderson.

District 3 Clerks of Court Meet



The Clerks of the Third Judicial District had a district-wide meeting on December 16, 2005.

Pictured back from left to right: Jeff Roos (O'Brien), Craig Jorgensen (Woodbury), Eileen Grave (Osceola), Charlene Peterson (Plymouth and Sioux), Jane Hussey (Clay), Mary Ellen Munn (Kossuth and Palo Alto), Marcella Segabart (Ida), Marcia Eckerman (Dickinson), Cheryl Kaskey (Cherokee) Front row from left to right: Donna McPherran (Buena Vista), Karen Kahl (Crawford and Monona), Jean Vande Weerd (Lyon), Jeannine Snavelly (Kossuth and Palo Alto-retired Jan 6, 2006), Cynthia Kelly (Emmet)

Judicial Court Officers Training School

By Jerry Beatty, Director of Judicial Education

Twenty-two juvenile court officers from five judicial districts across the state attended a weeklong basic training program at the Iowa Judicial Branch Building, April 3-7. The program was designed by the Supreme Court Juvenile Court Officers Training Committee, chaired by Judge Alan Allbee, and coordinated by the Judicial Branch Education Office. All new JCOs are required to attend two one-week training programs.

Among the topics discussed at the spring program were: personnel matters, the

development of the juvenile court system, casework and skill requirements, juvenile law, criminal law and procedure, mental health issues, juvenile facilities, personal safety, drugs and alcohol, ethics, cultural diversity, effects of trauma on memory, child development, testifying in court, and juvenile sex offenders.

Juvenile court officers attending the program were: Roxane Tharp, First Judicial District, Chris Timmerman, Matt Otten, Wendi Dinsdale, and Ryan Reisner, Second Judicial District, Mike Jennings,

Chad Jensen, Jim Perlowski, Allison Watson, Sean Marvin, Kristi Dodson, Christy Opatz, Jack Gibbons, Sharon Schafer, and Jake Schulz, Fifth Judicial District, Damon Robinson, Matthew Jedrosko, Jeremy Linsenmeyer, Jessica Olson, and Shawn Moss, Sixth Judicial District, and Addie Alt and Hinijio David Tristan, Seventh Judicial District.

The second one-week Training School for Juvenile Court Officers, scheduled for October 23-27, will focus on treatment programs for juveniles.



JCO Training Class 2006

District 8 Hosts Biennial Bench-Bar Conference

By Annette J. Scieszinski, District Court Judge

Last fall judges, lawyers, and court administration met in Fairfield to further the District 8 tradition of holding a biennial bench-bar conference. The day-long event on October 21 was attended by 96, including several guests from Districts 4 and 7 who were observing the proceedings with the thought of starting a similar program back home. The 8th District's liaison, Justice David S. Wiggins and the Iowa State Bar Association President J.C. Salvo participated in discussions throughout the day. The Jefferson County Bar Association hosted a reception afterward.

Modeled after the state-wide bench-bar conferences, the District 8 program features bench and

bar leadership from the district, and offers over three hours of continuing legal education credit. This year, programming focused on the new Iowa Rules of Professional Conduct, and 2.5 hours of the legal education units additionally qualified as "ethics" credit.

In September a delegation from the 8th District presented a program at the Academy of Trial Lawyers/State Court Administration Workshop at Lake Panorama, on "The District Bench-Bar Conference as a Tool for Policy Review." Over the years, the dialogue at the 8th District's Bench-Bar Conference has been instrumental in prompting judges, lawyers, and court administration to cooperate to attain date-certain



Doug Napier, an attorney from Fort Madison, introduced the ground rules and acted as emcee for the Bench Bar program.

trial scheduling, to implement court-connected mediation, and to otherwise improve the delivery of judicial services.

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Sixth District Awards

By Nancy Baumgartner, District Associate Judge

Earlier this year, the Sixth Judicial District Awards Committee hosted the seventh annual employee awards ceremony. In attendance were the award recipients, their families and friends, members of the awards committee, and staff from all of the district's courthouses. Judge William L. Thomas and Court



Judge William Thomas

Administrator Carroll Edmondson presided over the ceremonies. District court judges, district associate judges, the clerks of court and managerial staff contributed financially to fund the awards.

The **Sixth District Employee of the Year Award** was given to Sylvia Dawson of the Criminal Division of the Linn County Criminal Clerk's Office. Dawson has worked for the clerk's office for 25 years.

Dawson was honored with this award for many reasons. Judge Amanda Potterfield presented the



*Employee of the Year
Sylvia Dawson*

award and reminisced about Dawson's helpfulness and patience in acclimating her to Iowa criminal practice when she started work in Cedar Rapids during the early 80s. Dawson has continued, in addition to her excellent skills as a clerk, to assist and train both judges and lawyers throughout her career. She is dedicated, friendly, helpful to all, and a delight to have as a colleague. She is an asset to our district.

The **Teamwork Award** was given to Marilyn Dautremont, juvenile court technician in the Johnson County Juvenile Court

Office. The award was presented by Lloyd Smith, a supervisor in her office, who gave her glowing praise. She received this award for the dedication, hard work and humor she always displays in her job, and, most particularly during an incredible staff shortage in their office. Not only did she manage to keep the office running and do it well, she did it despite the enormous difficulty of



*Teamwork Award
Marilyn Dautremont*

trying to keep juvenile court officers from driving her crazy. (So said Lloyd Smith.) She is a valued employee who is an asset to her office.

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The **Public Service Award** was given to Thunhi O'Hare of the Civil Division of the Linn County Clerk's Office. She was nomi-



Public Service Award
Thunhi O'Hare

nated by an attorney, whose glowing praise was read at the ceremony. She was nominated and received the award because of her knowledge and expertise in probate matters, and because of her tireless good humor and excellent work ethic. She is a favorite amongst lawyers for her helpfulness, breadth of knowledge and kind smile. She absolutely exemplifies what public service is all about.

The **Sixth District Distinguished Service Award** was given to Charity Madren, of the Criminal

Division of the Linn County Clerk's Office. Madren retired in December, one month shy of 30 years of service. Madren had been a supervisor in the clerk's office for many years, and due to budget cuts and layoffs, lost that position and suffered a pay cut. Despite the loss of pay and position, Madren never complained and continued on serving us with distinc-



Distinguished Service
Charity Madren

tion and dedication. Madren possesses a wealth of knowledge about clerk duties and procedures and served on many committees dealing with these issues, including ICIS committees. Her knowledge and sense of humor are already greatly missed, but we know she's having a great time in retirement!

The **Sixth District Friend of the Court Award** was given to Joyce Dixon, Jean Kaelber, Betty Orr, Nancy Senneff, Virginia Hebert and Marlys Svara of



Friend of the Court

Johnson County. They are retired volunteers who work at the courthouse every day. Not only do they direct the public around the courthouse, but they direct people to other agencies or facilities when they have come to the courthouse in error. In addition to being a great service to the public, they have saved the clerks and court administration a tremendous amount of time. They have become an invaluable asset to the Johnson County Courthouse, and we hear they're great cooks too. They've won over the hearts of everyone at the Johnson County Courthouse.

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Dedicated Service

Awards were given to Magistrate Thomas Buchanan and Margaret Deimerly of Iowa County, Barbara Bigelow of Iowa City, Susan Griffith, Susan Glandorf, Debra Shields, and Ronda Frye of Linn County for 30 years of service; to Lori Mulherin, Bernie Bordignon, Sylvia Dawson, Cynthia Mehl, Caryol Frericks, Candice Bennett, Roxann Repstein of Linn County; Judge L. Vern Robinson of Johnson County and Judge Larry Conmey and Joni Rickels of Jones County for 25 years of service; Vickie Troester, Patricia Megown, Cindy Goerdt, Deanna Gross and Judge Jane Spande, of Linn County, for 20 years of service; and to Erin Altheide, Leroy Nida, Allison Rogers, and Patricia Covington of Johnson County, Julie Novak, Judge Susan Flaherty, Judge Nancy Baumgartner of Linn County and Marci Summers of Jones County, and Julie Hessenius of Benton County for 10 years of service.



30 Year Awards
(left to right) *Sue Griffith, Sue Glandorf, Deb Shields, Margaret Deimerly, Barb Bigelow.*



25 Year Awards
(left to right) *Cynthia Mehl, Sylvia Dawson, Roxanne Repstein*



20 Year Awards
Dee Gross (left) and Judge Jane Spande



10 Year Awards
(left to right) *Allison Rogers, Julie Novak, Erin Altheide, Julie Hessenius, Leroy Nida, Judge Nancy Baumgartner, Marci Summers*

Child Advocacy Board Honors Judge Nahra



The Iowa Child Advocacy Board awarded District Judge John Nahra the Children's Voice Award at the board's Annual Volunteer Conference in Des Moines last fall. This was only the second time in the agency's history that this honor has been awarded – the first time four years ago to United States Senator Charles Grassley. The award was given to Judge Nahra for his commitment to abused and neglected children, as well as for his support of Iowa's two volunteer programs that work for abused and neglected children: the Court Appointed Special Advocate (CASA) program and the Iowa Citizen Foster Care Review Board program.

Jerry Foxhoven, Administrator of the Child Advocacy Board, on presenting Judge Nahra with the award said: "Judge Nahra not only has compassion and concern for the children we serve and the programs we operate, but he has made a positive difference for those children and our programs that will continue long after all of us are gone."

Retirement



Leesa McNeil, Jeannine Snavelly, Chief Judge Michael Walsh

Jeannine Snavelly is recognized for 27 years of service to the Judicial Branch and for being the first clerk officially appointed as the clerk for more than one county.

Our life as a bucket! Positive strategies for work and life.

By Leesa McNeil, District 3 Court Administrator

How did you feel after your last interaction with someone? Each day at work and in our personal lives we encounter many people. Have you ever noticed that when you are treated in a negative fashion your first reaction is to respond in a negative manner. Perhaps there have been times when you have been on edge and snapped at another. Chances are the reaction you received was equally negative. Each encounter affects us and the person with whom we experience the encounter.

Tom Rath and Donald O. Clifton, Ph.D. explore how our lives are shaped by our interactions with others in their book (and audio CD) titled, *How Full is Your Bucket?* Using this concept the authors encourage the reader/listener to view their life as a dipper and a bucket. (No-this isn't a farm yard exercise!) Everyone has an invisible bucket. We are at our best when our bucket is overflowing and at our worst when it is empty. Everyone also has a dipper. With each interaction we can choose to fill or empty the buckets of others. This is a

theory that each of us can apply to improve our own daily lives.

When we use our interactions as an opportunity to fill another person's bucket it in turn fills our bucket. When someone takes from our bucket our life is diminished. An empty bucket is a life of negativity. Studies have shown that people can be destroyed by unrelenting negativity.

Working in the court system we see the impact of this everyday in many of the court cases that flow through the system. Studies have shown that each person experiences about 20,000 individual moments in any given day. Most are not memorable, but the memorable moments are usually positive or negative.

Bucket filling in organizations goes beyond recognition and praise. Individuals that receive constant and continual positive recognition (work or personal) are proven to be more productive and stay in positions longer. Leaders that share positive emotions have employees with increased group performance.

It is recognized that we generally do not give or receive enough praise. Our culture usually focuses on what is wrong—not what is right. Ever focus on your student's poor grades more than their good grades? When negative people show up at work they actually contribute to counter productivity and lower customer satisfaction.

Remember your last negative experience with a customer service representative? Rampant negativity costs in lost productivity and increased health problems. Negative people take others down with them. Spiraling downward is not hard to do when your bucket is constantly being emptied. It just takes one or two people to poison an entire workplace. Negative emotions can be harmful to your life and can shorten your life and destroy relationships and careers. Stress, anger and hostility have been proven to have negative health impacts. Individuals that are more positive have been shown to live longer. A positive outlook can improve our

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Our life as a bucket!

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physical and mental well-being and shortens the duration of many serious illnesses. (This impact has something to do with cellular physiology—beyond me!) Positive emotions are critical to help keep us resilient and improve our performance.

Recognition that is sincere and meaningful is important and doable. There are opportunities for bucket filling every day.

Enter the positive psychology movement—the focus on what is right with people.

The frequency of small positive moments is critical. It is estimated that people need five positive interactions for each negative to keep a positive outlook. A positive outlook must be grounded in reality. Negativity must still be recognized by correcting our mistakes and recognizing our own weaknesses. Still there is room for improvement.

Having a positive or negative predisposition may, in part, be accounted for by nature. But, nurture plays an equally important role and gives us hope that everyone can become more

positive.

For children, a safe and supporting home are important factors to a positive bucket-filling experience. What is the first thing you say to your child when you get home? Is it a criticism for the dropped clothes or dirty dishes? A question about how their day was or what was the best thing that happened in school would create a more positive experience and help fill their bucket. By pointing out more strengths than weaknesses we can help our children create a positive outlook on life and improve their feelings of positive self-worth.

We all need full buckets! Positive reinforcement for what we do best helps us cope when we encounter things that are negative. It needs to be sincere and personalized—individualize, individualize, individualize is the advice to use for bucket filling.

Five strategies for increasing positive emotions include:

- Prevent bucket dipping. This can be achieved by developing a habit of asking yourself if your interaction will add to or take from

another person's bucket. Do something about other's negative bucket dipping. Steer clear of people who don't get the message.

- Shine a light on what is right—not on what is wrong! Never underestimate the far-reaching impact of bucket filling and thank others that help fill yours.

- Make several best friends at work—it helps you be more productive and increases life satisfaction. Lonely people suffer psychologically.

- Give unexpectedly. People prefer gifts that are unexpected. The element of surprise fills our buckets more than something that is expected. It could be a responsibility that is given and doesn't have to cost anything. A simple and sincere "thank you" or "good job" could do the trick!

- Reverse the Golden Rule. Do unto others as THEY would have you do unto them! Individualizing the bucket filling is essential. What works for one person does not necessarily work for another.

What we recognize in others helps them shape their life and feel good about their accomplishments. "Don't waste another moment! A bucket somewhere is waiting for you to fill it!"

Projects in Progress: Iowa Drug Courts

By Leesa McNeil

“The rapid proliferation of drug courts has been driven by research that suggests that drug courts have succeeded in reducing drug use, improving recidivism rates, and generating significant cost savings. In the process, the judges and lawyers who have spearheaded the drug court movement have encouraged courts to change the way they do business, adopting a problem-solving approach to cases fueled by addiction and building unprecedented partnerships with government and non-profit treatment providers.” The Center for Court Innovation www.courtinnovation.org

This year the legislature is focusing some attention on drug courts. Here is a compilation of information on all drug courts operating in Iowa.

Woodbury County:

- Lay-court model with Judge Ackerman as supporting judge.
- Operates as a post adjudication (part of probation sentence) for adults and a pre and post adjudication system for juveniles.
- Approximately 70 juveniles and 20 adults graduate each year; a total number of juvenile graduates to date is 325 and approximately 150 adults.
- Instituted in 1999 with a federal grant through The Governor’s Office of Drug Control Policy (ODCP).
- A grant now funds three positions including two juvenile court officers that provide intensive supervision and a technician for coordination (\$238,231).
- The adult component has absorbed the supervision work.
- Contact: Gary Niles, Chief Juvenile Court Officer 712-279-6586 Ext. 19
- Reports on the Cost-Effectiveness Analysis and Long-Term Outcomes of Woodbury County Drug Court Program prepared by Dr. Vik, Asst Professor of Political Science at the University of South Dakota are viewable online at: www.judicial.state.ia.us/district_courts/district_three/news

Ida, Cherokee and Crawford Counties:

- Judge-led model with Judge Edward Jacobson as supporting judge.
- Operates as a post adjudication model; initiated in 2005 as a three-year project funded by the Local Government Innovation Fund (\$78,000).
- Estimate 24 participants per year.
- The first graduation was March, 2006.
- Contact: Michelle Means, West Central Iowa Drug Court Coordinator 712-364-3250

Cerro Gordo County:

- A lay-court model with Judge James Drew as supporting judge.
- Initiated in 2001 and operates as a post-adjudication program for adults.
- The program started with funding from the general fund and then obtained an ODCP grant for four years.
- The program is now operating with tobacco funds. 58 offenders served in FY05.
- Contact: Joel McAnulty, joel.mcanulty@iowa.gov, Department of Corrections 515-232-1511 Ext. 16

Iowa Drug Courts

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Marshall County:

- A lay-court model that initiated in 2000 that serves adults and juveniles. 36 offenders served in FY05.
- Judge Lathrop and Judge Baker provide the judicial support for the program.
- Contact: Joel Mcanulty joel.mcanulty@iowa.gov

Fourth Judicial District Drug Court (Pottawattamie County):

- Operates as a pre-adjudication program for adults from the nine counties of the district.
- There have been 100+ graduates since the program began in 2000.
- At present there is grant funding for one intensive supervisor in Department of Corrections and tobacco funding for others (a total of 2 PO s and a TASC officer).
- The program has 45 active clients at any one time.
- Contact: Greg Reinders, Dept of Corrections 712-325-4943 Ext. 214

Polk County: Three distinct programs all operating as judge-led models.

- **Adult**—Operating thru the Department of Corrections and initiated as a drug court program with grant funds through the Governor's Office of Drug Control Policy prior to 2000. Currently operates as pre or post plea program with no additional funding. The program has had a total of 333 participants to date with 187 successfully completing the program. Judge Glenn Pille works with the adult program. Contact: Jeff Schultz 515-242-6987
- **Family Drug Court**—(CINA/Terminations) Initiated in 2002 and serves families where the mother and children reside at House of Mercy or out-patient treatment. There is a total caseload of approximately 30 families (representing approximately 60 children) at any given time. The program has served 90 families representing 172 children. 24 families have graduated-18 terminations entered on the families that have participated. No additional resources were expended to initiate this program. Contact: Judge Karla Fultz 515-286-3756
- **Juvenile**—Began in 1999 via a grant. At present 3 positions for intensive supervision are funded via tracking/monitoring funds that are supplemented by a private foundation. There have been 226 participants with 189 discharged-of those 147 successfully. Contact: Phil Douglas, JCO 515-3937

Scott County:

- Adult-led model initiated in 2002 with a Bryne Grant to fund two adult intensive supervision officers.
- The program targets chronic offenders on probation.
- There are 20-30 offenders in the program at any one time with 9 graduates to date.
- Judge David Schoenthaler works with the program.
- Contact: Mike Fitzsimmons, Department of Corrections 563-322-7986 Ext 1217

For information about drug courts: National Drug Court Institute: <http://www.ndci.org/>

Committee to Design Self-Help Forms

By John Goerdts, Judicial Planner

Iowa has lagged behind other states in developing programs to assist pro se litigants. But this will change next year. The Iowa Supreme Court has established a new committee to develop easy-to-use forms and instructions to facilitate pro se litigation in family law cases. Among other things, the committee will be responsible for designing forms and instructions for dissolution of marriage petition (with and without children), petition for custody, petition to modify child support, and petition to modify custody.

Judge Patrick Grady, 6th District, and Attorney Dan Bray, Iowa City, will serve as committee co-chairs. Previously, Judge Grady and Dan Bray were co-chairs of the Joint Iowa Judges Association-Iowa State Bar Association Task Force on Pro Se Litigation. The task force examined how the Iowa courts can manage the challenges

presented by pro se litigation. Among other things, the task force recommended the judicial branch develop and adopt forms and instructions to facilitate pro se litigation in family law matters.

“It is my belief that the proliferation in self representation is taxing the court system’s most valuable resource: time,” said Judge Grady. “Hopefully, with the development of Iowa specific forms with clear directions that self-represented litigants can access on the Iowa Supreme Court’s web page, rather than from Wal-Mart or other web sites, fewer questions will need to be asked of court personnel, fewer proceedings interrupted due to incorrect or incomplete pleadings and fewer disappointed litigants will be turned away.”

Judge Grady added, “There are many good forms that are used in different parts of

the state. The real challenge will be in developing directions for filling out the forms. I am hopeful that we will have something for the Court to look at in the late spring.”

“Many pro se litigants get forms from the Internet or an office supply store and these forms are often inadequate,” said Jeff Tollenaer, Muscatine County Clerk of Court. “The Pro Se Committee is designing family law forms and instructions which can be used by pro se litigants. They will comply with the Iowa Code and be easy to understand and easy to use. They should fulfill a need of many and it would be terrific if it would reduce the incidence of those seeking legal advice from clerks. If not, at least clerks will have a good set of forms and instructions to offer.”

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Judicial Building Open House



Justices Mark Cady and Marsha Ternus visited WHO radio to talk about the event, held on May 16 and billed as “Conversation with the Courts.”

Chief Justice Lavorato conducted tours of the court chambers and visited with individuals in the courtroom. Increased accessibility to the courts and education of the public was a goal of the open house .



Members of the court answered questions about the oral argument process as videotaped arguments were played in the auditorium.