

Supreme Court: Change, Change, Change

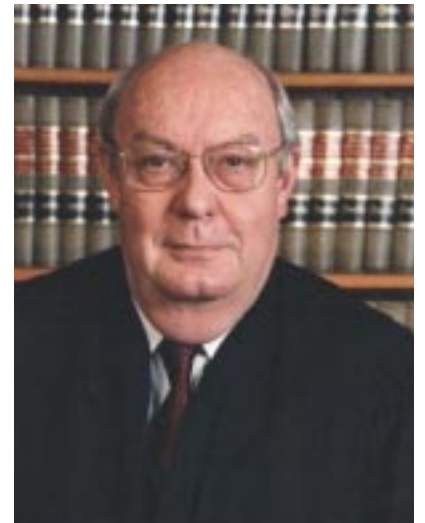
By the end of the year, the Iowa Supreme Court will have two new justices and a new chief justice. Not since 1987 has the court had two openings and a new chief justice in the same year.

Chief Justice Louis Lavorato will retire September 29 and Justice James Carter will retire October 16. Court of Appeals Judge Daryl Hecht will fill the vacancy on the court that will occur when Chief Justice Lavorato retires. On October 3, the State Judicial Nominating Commission will interview candidates to fill Justice Carter's seat.

The election of a new chief justice will take place after both new members can participate in the decision. In the meantime, Justice Jerry Larson will serve as acting chief justice. Justice Larson, who is the assistant chief justice, has served on the court for twenty-eight years and is the longest serving justice on the court.



Chief Justice Louis Lavorato



Justice James Carter



Justice Jerry Larson

Court of Appeals Judge Daryl Hecht Appointed to Iowa Supreme Court

Governor Vilsack has appointed Iowa Court of Appeals Judge Daryl Hecht, Sloan, to the Iowa Supreme Court. Judge Hecht will fill the vacancy on the court that will occur at the end of September when Chief Justice Louis Lavorato retires.



Judge Daryl Hecht

“I’m deeply grateful for Governor Vilsack’s confidence and I look forward to assuming my new responsibilities as a justice of the supreme court on September 30,” said Judge Hecht.

Judge Hecht, 54, has served on the Iowa Court of Appeals since 1999. Before joining the court of appeals, he worked in the

private practice of law in Sioux City for twenty-two years. He earned a bachelor of arts degree in political science and history from Morningside College, graduating magna cum laude in 1974. He graduated from the University of South Dakota School of Law in 1977. In law school, he was the senior editor of the law review. He received a master of laws degree

from the University of Virginia School of Law in 2004.

“I’ve been privileged to work with the outstanding judges and staff of the Iowa Court of Appeals for the past seven years. I couldn’t have asked for better colleagues or a more welcoming work environment,” said Judge Hecht.

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The *Iowa Bench Press* is published bimonthly by the State Court Administrator’s Office to keep court personnel informed about court policy, projects, programs, and activities. Articles express the views of the authors or the editor and not necessarily those of the Iowa Judicial Branch.

The *Iowa Bench Press* welcomes your ideas, articles, and criticisms. All rights are reserved to edit or reject any materials submitted for publication. Please direct your inquiries and news suggestions to:

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Visit the Iowa Judicial Branch web site at:
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Iowa Criminal Justice Information System Integration Project Progress Report

by David Meyers, CJIS Coordinator

In June of 2003, Governor Vilsack and Chief Justice Lavorato entered into a Memorandum of Understanding that established a multi-jurisdictional, 19-member Criminal Justice Information System (CJIS) Advisory Committee representing state and local agencies from throughout the criminal justice system in Iowa.

The goal of this project is to provide for the automated, real-time exchange of information within and between the various segments of the criminal justice community at the state, federal, and local level. By improving the quality of information, CJIS should, over the long run: improve public safety, provide complete, current and timely data, improve the ability to evaluate policy decisions and changes, maximize available resources, provide for more informed decision making, and improve the operational effectiveness of existing systems.

On August 30, 2005, the State, under the guidance of the CJIS Advisory Committee, completed an extensive planning project that culminated in the development of a CJIS plan. This plan provides the State with a five-year schedule for the development of an integrated justice information system. The plan contains detailed recommendations relating to all aspects of an integrated criminal justice information system including both business and technical requirements.

The majority of the committee's first-year recommendations have been completed. Some of the major accomplishments include:

- The creation of a CJIS Program Office in the Division of Criminal and Juvenile Justice Planning (CJJP) to provide the oversight and management necessary to implement CJIS in Iowa.
- Enhancing the composition of the membership of

the CJIS Advisory Committee by adding a juvenile court representative and a representative from the Department of Transportation (DOT).

- Receiving a legislative appropriation to fund the Plan's second year activities.
- Developing Global Justice Data Model (GJXDM) - conformant information exchange packages to facilitate the exchange of uniform traffic citation and complaints, presentence investigations, protective orders, complaint and affidavit, trial information, incident report, warrants, operating while intoxicated, and sentencing orders.
- Building Iowa-specific GJXDM-conformant namespace and data standards.
- Conducting transaction processing analysis to identify triggering events that will initiate discrete

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CJIS Progress Report

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Web services to support the exchanges listed above. Phase II activities include:

- Add three additional staff members to the CJIS Program Office.
- Create a Request for Proposal(s) for the CJIS information exchange "broker". Also, complete the procurement and implementation process.
- Create an MOU between CJP and the Information Technology Enterprise (ITE) for CJIS exchange broker services.
- Convert the year one exchanges to a Service Oriented Architecture (SOA) environment.
- Initiate Web services and identify county attorney and law enforcement agencies that are able to participate in the CJIS exchange broker solution.
- Ensure that the Traffic and Criminal Software (TraCS) has the ability to send and

receive Simple Object Access Protocol (SOAP) messages and has persistent data storage.

- Create the user interface application in TraCS for county attorneys to access charging documents.
- Identify year 2 exchanges and begin developing the necessary domain models and information exchange packages.

According to plan, full implementation will require between \$6.1 and \$11.9 million over five years. The exact amount will be determined by the CJIS Advisory Committee as specific technological decisions are made. Additionally, the amount of recurring annual expenses will also depend on the architectural solution chosen. To view the entire 240-page CJIS Plan, or to see additional information about the CJIS project in Iowa, go to www.cjis.iowa.gov.

###

Children's Justice Initiative: One Judge/One Family

By Justice Marsha Ternus

On any given day in the United States, half a million children and youth are in foster care, removed from their homes because of abuse or neglect. Almost half of these children spend at least two years in foster care, while almost twenty percent spend five or more years there. On average, children have three different foster care placements; some have many more. It is well documented that such frequent and generally unexpected moves through unfamiliar homes and the profound uncertainty this engenders in children can affect their development in ways that will haunt them well into adulthood.

Impetus for Reform

For the past decade, the Iowa Judicial Branch has adopted numerous measures to reduce the time children spend in foster care and to enhance decisions affecting their well-being. Since the mid-1990s, with the aid of federal grants, Iowa's highly regarded Court Improvement Project has spawned many improvements in

court oversight of child welfare cases, including innovative procedures to expedite appeals, extensive training programs for judges, attorneys, and other professionals, and a guide for parents who are involved in a child welfare proceeding. Our Court Improvement Project provides a strong foundation upon which to build future reform.

Now there is a national effort underway to spark broad-based reform of how courts process cases. This effort is the product of three key events:

- In 2004, the landmark PEW Commission on Children in Foster Care called for sweeping reforms of the nation's child welfare system, including improvement of federal financing mechanisms and improvement of court oversight.
- Last year, in response to the PEW Commission, Congress approved funds to help courts track cases and train judges and court personnel.
- Last fall, the National Center for State Courts coordinated the National

Judicial Leadership Summit for the Protection of Children. The summit was designed to enlist state court leaders from around the nation to champion the cause of foster children and spur improvements in court processing of child welfare cases.



Judicial Branch Goals

Motivated by these events, the supreme court is resolved to focus more attention on the plight of children in the foster care system. To demonstrate its commitment, the court approved the following four goals:

- Recognize the importance of child welfare cases on the court docket.

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Children's Justice Initiative

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- Allocate sufficient resources to the juvenile court to ensure that cases are heard in an efficient and competent manner.
- Foster collaboration between the courts, DHS, and the Bar to improve outcomes for children in foster care.
- Approve in principle the recommendations of the PEW Commission.

We hope the court's involvement will accelerate and broaden the process of reform begun by the Iowa Court Improvement Project

One Judge/One Family

Earlier this year, the judicial council began implementing strategies to help achieve these goals. The most significant strategy involves directing more judicial resources to the juvenile court. The supreme court has called on each district to organize judicial resources and assignments so one judge who has experi-

ence in child welfare matters presides over all court proceedings relative to a single family. This approach is known as the one judge/one family model.



The one judge/one family model provides consistency and continuity in decisions. Under this model, a judge has a greater opportunity to become thoroughly familiar with a family's unique situation and to observe their behavior over time. This model helps ensure that the child sees at least one familiar face—the face of the judge—throughout the foster care process.

This is not to say that each and every judge must now handle juvenile cases. To the contrary, the best results

for children are attained when educated and experienced judges who are committed to juvenile work preside over child welfare proceedings. And it is also well documented that the most expeditious and informed decisions are made when the same judge presides over the same case from beginning to end. To make this happen will require judges willing to make a commitment to work in this area.

Assuring one judge for one family will also require accommodation and adjustments from all judges in the district. That is why it's so vitally important that each and every one of us take responsibility for the children in our system. Only with every judge's cooperation can we ensure that Iowa's court system addresses the needs of dependent children as quickly and effectively as we address the rights of

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Children's Justice Initiative

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criminal defendants and the cases of victims of medical malpractice and other torts.

The supreme court does not have a blueprint for how the districts will implement this goal. Recognizing that there are unique circumstances in every district, the court has asked each district to develop its own plan to achieve the goal of one judge/one family. The resources of state court administration and the Court Improvement Project will be available to support the districts in their efforts.

Benefits for All

There are several reasons we must make whatever adjustments are necessary to improve outcomes for children in foster care. According to Casey Family Programs, young adults who emerge from foster

care have higher rates of incarceration, unemployment, poverty, mental health problems, unplanned pregnancies, homelessness, and public assistance than children who live in stable, permanent homes. Consequently, improving outcomes for children in dependency cases provides benefits to our society as a whole. But the paramount reason we must commit ourselves to this task is that these children deserve the best chance we can give them to thrive and grow into well-adjusted adults who contribute to our society. We owe the children of Iowa that opportunity.

###

Iowa Judges Association Officers

The Iowa Judges Association has elected three of its members to leadership positions for the 2006-2007 year.

President: District Court Judge Duane Hoffmeyer of Sioux City
 President-Elect: District Associate Court Judge Nancy Baumgartner
 Secretary-Treasurer: District Associate Court Judge Odell G. McGhee



Judge Duane Hoffmeyer

The Iowa Judges Association's mission is to unite judges in working toward the sound administration of justice, recommending improvements of policy and procedure, and in working cooperatively with all branches of government for the betterment of justice for all Iowa citizens.

Judge Duane Hoffmeyer has been a district court judge since 2001 and serves the members of the Third Judicial District. Judge Hoffmeyer is currently the presiding judge

for Woodbury County. Judge Hoffmeyer has served on the Trial Judge Forum Committee, the joint task force with the Iowa

State Bar Association and Iowa Judges Association studying pro se involvement in the court system and is currently on the Judicial Technology Committee. Judge Hoffmeyer has also served on other committees with the Iowa Judges Association and in Woodbury County. Prior to his appointment, Judge Hoffmeyer was past president of the Sioux City Young Lawyers and an officer in the Woodbury County Bar Association. Judge Hoffmeyer was

involved in private practice for over 18 years in the Sioux City area.

Judge Nancy Baumgartner of Cedar Rapids was appointed to the bench in 1995 as a District Associate Judge. Judge Baumgartner has served on the District Associate Judge Committee, Courts and Community, Education, and Trial judges Forum Committee of the Judges Association. She also is a past member of the Judicial Technology Committee. After receiving her law degree from the University of Iowa in 1979, Judge Baumgartner served as



Judge Nancy Baumgartner

IJA Officers

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supervising attorney at Student Legal Services at the University of Iowa until 1981. She then went into private practice while serving as a judicial magistrate for Johnson County. From 1983 until 1995, Judge Baumgartner was an assistant state public defender in Linn County. She was a board member and past president of the Iowa Public Defender's Association, the Iowa Organization of Women Attorneys and the Linn County Women Attorneys Association.

Judge Odell McGhee is a District Associate Judge serving the people of the Fifth Judicial District since his appointment in 2002. Judge McGhee has served

on numerous committees of the Supreme Court and Iowa State Bar Association including the Iowa Grievance Commission, Minority Issues, Criminal Law, Jury Instructions, and Commission on Continuing Legal Education, and on the executive

board of the Iowa Young Lawyer Division of the Iowa State Bar Association. He also was on the board of the National Bar Association, past president

of the Iowa National Bar Association and on the executive board of the Polk



Judge Odell McGhee

County Bar Association. Prior to his appointment as the fifth African-American judge in Iowa he had served since 1982 in the Polk County Attorneys' office prosecuting criminal cases and

defending civil litigation. He has taught at Des Moines Area Community College and at Drake Law School. Judge McGhee is active on many other community boards and in the area community theater.

IJA Board of Directors

Judge Kellyann Lekar - First Judicial District
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 Judge Patrick Grady - Sixth Judicial District
 Judge Patrick Madden - Seventh Judicial District
 Judge John Linn - Eighth Judicial District
 Court of Appeals - Judge John Miller
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The Iowa Judges Association is managed by a board of directors from each of the eight judicial districts, the appellate court, and retired judges serving on senior status and the immediate past president.

###

Education Conference Summary

By Jerry Beatty, Director of Judicial Education

Clerks Conference

The District Court Clerks Conference was held in Des Moines, May 24-25, 2006. The education program included presentations on new legislation, the judicial branch website, technology, appeals, court interpreter and pro se litigant issues, and child support enforcement.

The featured topic at the Conference was effective supervisory skills: motivation, coaching, and team building presented by Doug Whittle, Ph.D., a Des Moines-based management consultant. Dr. Whittle said all employees are leaders or should be. A leader needs to thank those who do a good job, respect and involve others, and recognize achievements not just faults. Whittle examined organizational change and the differing working styles of office employees. Since people resist being changed, but not necessarily change itself, having the right person carrying the message of change is critically important. A boss says "Go"; a leader says "Let's Go," said Whittle.

Juvenile Court Officers Conference

Juvenile court officers from across the state attended the Juvenile Court Officers Conference, in Des Moines, June 14-16, 2006. The education program covered a number of critical topics for juvenile court officers including:

- Sex Offender Risk Management Issues (JSORRAT II)
- Statewide Risk Needs Assessment
- Sex Offender Treatment and Supervision
- Mental Health Treatment Issues
- Ethical Issues for JCOs
- Adolescent Brain Function and Chemical Dependency
- Juvenile Law Update
- Technology Update

Michael Nerney from New York, a consultant on substance abuse prevention and education and former director of the Training Institute of Narcotic and

Drug Research, Inc., gave a six-hour presentation examining the impact of alcohol, marijuana, cocaine, methamphetamine, ecstasy, and several over-the-counter drugs on the adolescent brain. Nerney discussed family dysfunction, emotional and learning disorders, peer pressure, and other factors contributing to high risk behavior. He also examined the addictiveness of various drugs, their physical and mental impact, and techniques that have been successful in reducing drug abuse.

Dean Douglas Epperson, Iowa State University, explained the development of the Juvenile Sexual Offense Recidivism Risk Assessment Tool-II (JSORRAT-II). The empirically driven actuarial juvenile risk assessment tool is based on an analysis of 12 variables that comprise JSORRAT-II including: the number of sexual offense adjudications, the number of victims, the duration of sexual offending, offenses occurring

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Education Conference

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while under supervision, felony-level offenses committed in a public place, offenses preceded by deception or grooming, prior sex offender treatment

status, number of sexual abuse incidents in which the offender was the victim, number of physical abuse incidents in which the offender was the victim, special education

placement, number of educational time periods with discipline problems, and the number of non-sexual offense adjudications. Based on the JSORRAT-II scores, the study indicated that juvenile sex offenses could be divided into five low-to-high-risk categories. Although Dr. Epperson noted the limitations of the findings and the need for more research and testing, he was encouraged by the reliability of the instrument in predicting juvenile sexual recidivism.

Dr. Epperson's presentation was followed by a discussion on sex offender treatment and supervision by representatives from Four Oaks STOP, in



Judge Michael Mullins offers tips on sentencing.

Cedar Rapids. JCOs appreciate learning about the various treatment modules and having the opportunity to ask questions.

Dr. Terry Augspurger, consulting child adolescent psychiatrist, State Training School (Eldora) and Iowa Juvenile Home (Toledo) spoke of the changes in the diagnosis and treatment of various mental health disorders including: chemical dependence, ADHD, substance abuse, depression, bipolar, and PTSD. He also provided a helpful psychotropic medication

primer listing drugs for several types of mental health conditions--antidepressants, antipsychotics, mood stabilizers, stimulants, anxiolytics/hypnotics, antihistamine sedatives, and others. Dr. Augspurger asserted that Iowa ranks 47th nationally in the number of psychiatrists per capita and that Iowa's juvenile facilities (IJH & STS) are woefully understaffed given the increased number of juveniles with severe mental illness.

Magistrate Conference

Nearly all of Iowa's 150 magistrates attended the 2006 Magistrate Conference in Ames, June 28-29. The Conference was preceded by a half-day Orientation Seminar for New Magistrates, which covered the judicial role, ethics, and handling matters within the jurisdiction of a magistrate.

The Magistrate Conference addressed a number of topics including: new legislation and recent criminal impact deci-

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Education Conference

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Following his presentation on judicial leadership, Judge Leonard Edwards of California (left) speaks with Judge Patrick Madden.

sions, small claims & landlord-tenant law, criminal procedure, ethics, domestic abuse, technology, administrative sanctions on driver's licenses, mental health and substance abuse procedures, court interpreters, and media relations. The education program included both plenary and small group discussion sessions. The faculty used a variety of instructional techniques.

Iowa Judges Conference

The Iowa Judges Conference was held at the Hotel Fort Des Moines, Des Moines, June 21-23. The conference included a one-

hour plenary session on judicial leadership presented by Judge Leonard Edwards of California, former president of the National Council of Juvenile and Family Court Judges, and three simultaneous tracks covering 26 specific topics. Most presentations were one hour and offered only once.

A wide variety of topics was addressed during the 12-hour education program including: civil, criminal and juvenile law, new legislation and jurisdictional issues on appeal, small claims, innovative OWI judicial strategies, motor vehicle search & seizure, hearsay evidence, forensic evidence, pretrial procedures, sentencing, sex offender treatment, juvenile sex offender risk management, technology, judicial ethics, dissolutions, family drug courts, child welfare, pro se litigants, probate and civil commitment, court interpreters,

domestic abuse, and cultural proficiency.

The three-track education format, together with the excellent presentations and materials, contributed to the success of the Judicial Branch's first comprehensive education program for judges offering a broad range of elective courses.

###



John Goerd, court planner, and court interpreters Michael Piper and Isabel Framer discuss issues concerning language interpretation in the courtroom.

Alpers Named Chief Judge of Seventh Judicial District

The Iowa Supreme Court has appointed District Court Judge Bobbi M. Alpers, Davenport, as the new chief judge of the Seventh Judicial District. Judge Alpers will replace Judge David Schoenthaler who retired August 1. Judge Alpers is the first woman to serve as a chief judge of a judicial district in Iowa.

"Judge Alpers will make a fine chief judge," said Iowa Supreme Court Chief Justice Louis Lavorato. "She respects the ideas and views of others, she believes in consensus building, and she is pragmatic. The court has high regard for her."

As chief judge, Judge Alpers will supervise all judicial officers and court employees in the district, supervise the performance of administrative and judicial business in the district, set the times and places of holding court, designate presiding judges, and serve on the judicial council, which advises the supreme court on administrative matters affecting the trial courts. In addition, she will continue to handle a full caseload.

The Seventh Judicial District is comprised of five counties and includes seventeen judges, fifteen part-time magistrates, and 146 employees. Its operating budget for the current fiscal year is approximately \$12.2 million.

"I want to thank the supreme court for its vote of confidence in appointing me as chief judge."

Judge Alpers was born in Vinton, Iowa. She received a bachelor of arts degree in English and French from the University of Dubuque in 1973; a master of arts in English from the University of Iowa in 1975; and a juris doctorate from the University of Iowa Law School in 1983.

Judge Alpers began her legal career as a law clerk for the Seventh Judicial District. After serving as a law clerk for one year, she worked as an assistant Scott County Attorney. From 1985 to 1992, she worked in the private practice of law in Davenport. She served as a part-time judicial magistrate from 1987 to 1992. Governor



Chief Judge Bobbi M. Alpers

Terry Branstad appointed Judge Alpers to the district court in 1992.

Judge Alpers has served on a number of state and local court advisory committees, including the Iowa Supreme Court Commission on Planning for the 21st Century, the Iowa Supreme Court Workgroup on Domestic Violence and Mediation, the Scott County Coalition Against Family Violence, and the Court Ordered Services Committee of the Seventh Judicial District. She is a member of the Scott County Bar Association, Iowa State Bar Association, Iowa Judges Association, National Association for Women Judges, American Judicature Society, and National Council of Juvenile and Family Court Judges.

Website Receives Service Award

The Iowa Judicial Branch website is a recipient of the Justice Served Top-10 Court Website Award for 2006. The award recognizes court websites for excellent customer service and exceptional access to justice. Over 3,500 sites throughout the world were reviewed by the award sponsor.

Iowa's website was recognized for its clean, well organized site that boasts video appellate arguments, appellate opinions, trial court records, e-payment for fines and fees, email notification subscription, and professional regulations. The Iowa Judicial Branch website address is www.judicial.state.ia.us.

"We're extremely honored by this prestigious award," said Chief Justice Louis Lavorato. "Our website is first and foremost a public service tool. It connects the people with the courts-conveniently, efficiently, and affordably."

"Since 1998 when we began our website, it has been a central access point

for public information about the courts. Now it's also becoming a central access point for court services. The site offers many useful services such as online court records, payment of fines, and professional regulation. In the near future, we plan to add more features, including more self-help forms, online jury check-in, and E-filing and document retrieval," said Chief Justice Lavorato.

"Many people deserve recognition for its success," said Chief Justice Lavorato. "Our talented and hardworking webmaster, supreme court staff, technology office, commissions' office, state court administration, district court administration, and the state information technology office, all play a part in the delivery of this award winning website. I'm immensely grateful for all they do."

JUSTICE SERVED is a court management and technology consulting firm working with courts and justice agencies worldwide. The firm issues annual Top 10 Court Website Awards



to honor the best of class in web service delivery, and has done so since 1999. All court websites are considered in this competition, not just those that are nominated. Current and past winners, along with the evaluation criteria, can be found at www.justiceserved.com.

###

Judge Allbee Receives Award of Merit

Associate Juvenile Judge Alan Allbee, West Union, is the recipient of the 2006 Award of Merit of the Iowa Judges Association. The association presented the award to Judge Allbee at its business meeting last month in Des Moines.

"The Award of Merit honors a judge for dedication, skill, distinguished service, and extraordinary efforts for the betterment of the Iowa Judiciary. Judge Allbee exemplifies all of these characteristics," said Judge Constance Cohen, who presented the award to Judge Allbee.

"In addition to his 26 years with the juvenile court, Judge Allbee has been a leader in the field of juvenile law, practice and procedure. He has worked tirelessly to improve juvenile court procedures and outcomes for children by serving on advisory committees, training judges, juvenile court officers, social workers, and foster parents, and authoring many juvenile law manuals," said Judge Cohen.

Over the years, Judge Allbee has served on a number of important court

advisory committees, including the Iowa Supreme Court Advisory Committee on Juvenile Rules, Iowa Supreme Court Juvenile Court Services Committee, Iowa Supreme Court Juvenile Court Officers Training Committee, Iowa Court Improvement Project, and the Iowa Judges Association Juvenile Court Committee. In addition to his committee memberships, Judge Allbee is a member of the National Council of Juvenile and Family Court Judges and the juvenile and family law section of the Iowa Bar Association.

"Judge Allbee is recognized as the quintessential juvenile law authority in Iowa," said Judge Cohen. "He is the author of the Iowa Juvenile Bench Book, a guide to juvenile law and procedure, as well as other juvenile law manuals. His expertise is widely respected and judges from throughout the state call on him for advice."

"In 1999, the Iowa Court Improvement Project awarded the prestigious "Guardian of the Law" award to Judge Allbee in recognition of his extraordinary commitment to im-



Judge Alan Allbee

proving court practice in child welfare cases. Judge Allbee is the only individual to ever receive this honor," said Judge Cohen.

Judge Allbee was born in West Union, Iowa. He earned his undergraduate degree and law degree from the University of Iowa. After graduating from law school in 1977, Judge Allbee worked in the private practice of law for 12 years. He has also worked as an assistant county attorney, city attorney, and part-time juvenile referee. He became a full-time juvenile judge in 1990.

New Faces

District 1: **Virginia Snipes**, *Dubuque*, Law Clerk; **Susan Potwin**, *Waterloo*, **Gene Allison**, *Waterloo*, Court Attendants; **Stephanie Kidd**, *Waterloo*, **Shelly O'Connell**, *Dubuque*, Judicial Clerks.

District 2: **Richard Dunn**, *Eldora*, **Gregory Stoebe**, *Dakota City*, **Dedra Schroeder**, *Osage*, Magistrates; **Naomi Peterson**, *Clarion*, **Jennifer Hogrefe**, *Webster City*, **Sandra Charter**, *Ames*, **Sarah Jensen**, *Nevada*, **Melanie Lee**, *Nevada*, Judicial Clerks; **Jackie Schaffner**, *Ft Dodge*, Court Reporter; **Katie Hartman Eastvold**, *Mason City*, Law Clerk; **Tara Miller**, *Mason City*, Juvenile Court Tech; **Robert McKone**, *Carroll*, **Kristine Olsen**, *Ft. Dodge*, Court Attendants; **Wendi Dinsdale**, *Eldora*, **Ryan**

Reisner, *Ft. Dodge*, Juvenile Court Officers; **Patricia Freund**, *Boone*, Clerk of Court.

District 3: **Kimberly Voss-Orr**, *Sioux City*, **Carrie Rowald**, *Spencer*, Law Clerks; **Stacey Parkhill**, *Sioux City*, **Tricia Walton**, *Sioux City*, Judicial Clerks; **Steven Andreasen**, *Sioux City*, Magistrate.

District 4: **Jodi Quakenbush**, *Council Bluffs*, Court Attendant; **Kate McCoy**, *Council Bluffs*, **Allyson Mendoza**, *Council Bluffs*, Law Clerks; **Barbara Kendall**, *Council Bluffs*, Judicial Clerk.

District 5: **Vivian Bradley**, **Tabitha Sarsfield**, **Jodi Sydnes**, **Stephanie Willis**, **Tammie Hoffman**, **Jamie Olthoff**, **Pam Polke**, **Jennifer Cowman**, *Des Moines*, Judicial Clerks; **Kelly**

Thompson, *Adel*, Clerk of Court; **Amanda Knief**, *Des Moines*, **Erika Eckley**, *Adel*, **Christopher Sievers**, *Des Moines*, **Benjamin Parrott**, *Des Moines*, Law Clerks.

District 6: **Marie Riesenber**, *Cedar Rapids*, **Diane Wurzer**, *Iowa City*, **Candice Blake**, *Cedar Rapids*, **Denise Blake**, *Iowa City*, Judicial Clerks; **Mary Loops**, *Iowa City*, Juvenile Court Technician.

District 7: **Ann Clark**, *Clinton*, Court Attendant; **Jessica Malott**, **Sarah Alden**, *Davenport*, Law Clerks.

District 8: **Kerry Carskadon**, *Burlington*, Law Clerk; **Crystal Cronk**, *Keosauqua*, Magistrate; **Kim Andeway**, *Oskaloosa*, Court Attendant.

Milestones: Service Anniversaries

25 Years

Linda Trask, Court Reporter, *Black Hawk County*.

Robert Fahey Jr., District Court Judge, *Lee County*.

Lori Pope, Judicial Clerk, *Clayton County*.

Joe Smith, District Associate Judge, *Polk County*.

Annette Lemker, Trial Court Supervisor, *Polk County*.

David Danilson, District Court Judge, *Boone County*.

Colleen Welling, Judicial Clerk, *Polk County*.

Barry Mueller, Judicial Magistrate, *Allamakee County*.

Ronald Pepples, Judicial Magistrate, *Butler County*.

Bert Watson, Judicial Magistrate, *Clinton County*.

Francis Lange, Judicial Magistrate, *Dubuque County*.

Joseph Heidenreich, Judicial Magistrate, *Sac County*.

Judith Fantry, Administrative Secretary, *Pottawattamie County*.

Deborah Janke, Judicial Clerk, *Scott County*.

Diane Tott, Clerk of Court, *Story County*.

Sue Hansohn, Judicial Clerk, *Monona County*.

30 Years

Robert Thorson, Juvenile Court Officer, *Story County*.

Bruce Buttell, Juvenile Court Officer, *Appanoose County*.

Steve Buschbom, Juvenile Court Officer, *Fayette County*.

Linda De Hoet, Juvenile Court Officer, *Black Hawk County*.

35 Years

John Wauters, Chief Juvenile Court Officer, *Des Moines County*.

8th District Judges Meeting



Justice Marsha Ternus

On Friday, July 28, 2006, the Eighth Judicial District held its district-wide judges meeting at the Jefferson County Courthouse, Fairfield, IA. As part of the agenda, Justice Marsha Ternus and Justice David Wiggins visited with the judges about two new statewide initiatives. Justice Ternus talked about the Child Welfare Initiative. Justice Wiggins spoke on the Statewide Public Outreach Program.



Justice David Wiggins

Chief Justice Attends Des Moines Sister City Delegation Tour of Catanzaro, Italy



Pictured (left to right) Chief Justice Lavorato, Catanzaro council member, and Peter Marasco, member of Sister City delegation.

In late June, Chief Justice Louis Lavorato and his wife, Janis, joined other Des Moines area residents as part of a Sister City Delegation tour of Catanzaro, Italy. Catanzaro is in the region of Calabria, which was the home of Chief Justice Lavorato's parents before they immigrated to the United States.

The delegation toured many local businesses and farms, attended special receptions and events given in its honor, met local government officials and residents, and signed the sister city agreement. Local newspapers covered the delegation's visit and included interviews with the chief justice, whom they referred to as "al presidente."



The delegation was honored with an evening celebration that included young dancers in festive costumes.

Family Affair



Pictured after the swearing-in ceremony are District Associate Judge Kurt Stoebe (left) and his brother, Greg Stoeber, newly appointed magistrate in Humboldt county. Kurt was the previous magistrate in Humboldt county and will be also be doing juvenile work in Humboldt, Pocahontas, and Calhoun counties.

Magistrate Cronk



Judge Mullins administered the oath of office to Crystal Cronk as the Van Buren county magistrate. Magistrate Cronk is a graduate of University of Missouri-Columbia and practices law in Keosauqua.

Chief Juvenile Court Officer



Tom Southard has been appointed Chief JCO of District Two replacing Tom Horvath.

Cherokee Clerk of Court Staff



Employees in the clerk's office in Cherokee county are (left to right) Gloria Andersen, Roxan Roethler, Cheryl Kaskey, and Lisa Grashoff.

Retirements

Chief Judge Michael Walsh (right) congratulates Judge Patrick McCormick who retired on July 27 after serving as a District Associate Judge for Woodbury County for ten years.



Chief Judge Charles Smith presents Lana Kohel with a certificate of appreciation signed by Chief Justice Lavorato. Before her retirement, Lana worked for 22 years as administrative secretary to the district court administrator for District Four.

Supreme Court Grants Provide Legal Services for Low-Income Iowans

Low-income Iowans with civil legal problems will benefit from grants approved by the Iowa Supreme Court for legal service programs around the state. The court recently approved fifteen grant awards that total nearly \$1 million. Funds for the grants come from the Interest on Lawyers' Trust Account (IOLTA) program.

The court approved the following grants for the fiscal year beginning July 1, 2006:

**Iowa Legal Aid (Des Moines) —
\$477,000.00**

Provision of legal staff to serve regional offices of the grantee in an established program of civil case assistance to low-income Iowans. (Service area: statewide).

**HELP Through Education and Law Program, Inc. (Davenport) —
\$77,736.00**

Provision of legal staff to offer civil legal assistance to indigent and elderly persons, particularly in the areas of domestic relations, community legal education, service to the institutionalized elderly and domestic abused, and administrative advocacy. (Service area: two-county area including Scott and Clinton.)

**Muscatine Legal Services —
\$22,500.00**

Provision of additional legal staff to maintain an existing program of civil legal assistance to low-income residents. (Service area: Muscatine County.)

**Legal Aid Society of Story County (Nevada) —
\$46,290.00**

Provision of legal staff support to offset demand for legal assistance for low-income persons. (Service area: Story County.)

**Polk County Bar Association Volunteer Lawyers Project (Des Moines) —
\$55,537.00**

Provision of staff for volunteer lawyer referral service in Polk County serving the low-income community. (Service area: Polk County.)

**Sioux County Low Fee Panel, Sioux County Bar Association (Sioux Center) —
\$3,500.00**

Provision of funds to provide civil legal assistance for economically disadvantaged individuals in the Sioux County area. (Service area: Sioux County.)

**Iowa State Bar Association Public Service Project (Des Moines) —
\$73,111.00**

Provision of staff and technical support to increase the participation of attorneys in existing volunteer lawyer projects for indigent Iowans and provide assistance to legal service agencies. (Service area: statewide.)

**Civil Legal Assistance Fund (Fort Dodge) —
\$20,750.00**

Provision of funds to provide civil legal assistance to low-income fathers, mothers, or children involved in dissolution of marriage or modification cases in which other legal assistance is not available. (Service area: Second Judicial District.)

Grants for Legal Services

Continued from page 23

**Black Hawk County Bar Association
Program of Legal Assistance for Low-
Income Residents (Waterloo) —
\$18,000.00**

Provision of legal staff to provide legal services for economically disadvantaged individuals in the Black Hawk County area. (Service area: Black Hawk County.)

**Know Your Constitution Committee of the
Young Lawyers Division, Iowa State Bar
Association (Des Moines) —
\$2,565.00**

Provision of funds for the Know Your Constitution Program, which provides education to Iowa high school students about the United States Constitution. (Service area: statewide)

**Clinical Law Program, College of Law,
University of Iowa (Iowa City) and Drake
University Law School Legal Clinic
(Des Moines) —
\$45,007.35**

Provision of funds to continue the Poverty Law Internship Program, a clinical law program in which upper level law students intern with legal service providers throughout the state. (Service area: statewide.)

**Iowa Legal Aid (Des Moines) —
\$67,583.00**

Provision of legal staff support to continue the Legal Hotline for Older Iowans. (Service area: statewide.)

**Iowa Coalition Against Domestic Violence
(Des Moines) —
\$15,000.00**

Provision of funds to provide immigration and domestic violence-related legal services to battered immigrant women and their children. (Service area: statewide.)

**Iowa Coalition Against Sexual Assault
(Des Moines) —
\$13,354.00**

Provision of funds to support law-related education and attorney training specific to the issues of sexual assault on Iowa youth. (Service area: statewide.)

**Iowa Justice For Our Neighbors
(Des Moines) —
\$25,000.00**

Provision of funds to provide legal services to low-income immigrants involved in removal proceedings or other immigration-law matters. (Service area: statewide.)

The IOLTA program funds are generated from interest earned on pooled trust accounts held by lawyers. Attorneys practicing law in Iowa are required by court order to deposit clients' funds being held by the lawyer in interest-bearing accounts. When the funds involved are too small in amount or held for too brief a period of time to economically benefit the individual client, court rules require that they be deposited in pooled interest-bearing trust accounts.

The IOLTA program is administered by a seven-member commission that reviews grant applications and makes award recommendations to the Iowa Supreme Court. Since 1985 when the program began, IOLTA has awarded about \$18.6 million in grants, most of which have gone to legal services for low-income Iowans. In addition, some grant awards have gone for law-related education projects.

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Court Receipts to State Rise 14% in FY 06

Higher fines and court fees combined to substantially boost court collections deposited with the state last fiscal year. Total receipts allocated to the state grew from \$91 million in FY 2005 to \$103.8 million in FY 2006—an increase of 14%. Of this amount, collections of fines and the criminal penalty surcharge increased nearly 9%, fines and court fees for simple misdemeanors, including scheduled violations

jumped 56%. In addition, the amounts allocated to cities and counties grew 5%, from \$10.9 million to \$11.5 million.

Last year, to raise revenue for the state, the legislature hiked the court fee for simple misdemeanors from \$17 to \$30 and increased fines for speeding violations on four-lane highways.

The Lottery and stronger enforcement efforts also played a role in the overall

increase in receipts.

Amounts collected by the central collection unit, which serves as a collection agency for the state, rose 27% last fiscal year. In addition, the state collected nearly one-half million dollars through offsets of Lottery winnings, most notably winnings from Touch Play machines that the legislature shut down in May.

Fees & Fines Collected FY 06

	FY05	FY06
FEES TO STATE		
Filing Fees-Civil / Appeal/Transcript Fees	\$4,757,361	4,780,945
Filing Fees-Small Claims	\$4,270,433	4,273,360
Filing Fees-Indictable Criminal	\$1,158,127	1,132,717
Filing Fees-Parking Violations	\$55,476	57,888
Filing Fee-Contempt Violation	\$33,680	65,180
Filing Fee-Simple and Scheduled	\$10,358,078	16,160,962
Miscellaneous Court Fees	\$7,029,477	8,825,376
Entry Final Decree of Marriage Dissolution (\$50)	\$456,647	489,884
Int. Earned on Invested Funds & Late Payments	\$240,912	509,836
Fines, Infractions, Law Surcharge, Civil Penalty	\$36,239,428	39,347,685
City Fines and Forfeited Bail (10%)	\$723,953	748,721
Fine-Driving no Proof of Insurance	\$3,190,897	3,233,365
Fine-Litter/Discard Waste	0.00	0
Late Settlements - Civil Jury Trial (\$500)	\$28,679	29,568
Surcharge (95%)	\$12,100,501	13,177,057
Indigent Defense Reimbursement to State	\$4,691,295	5,055,997
Collected Delinquent Amts to J&W Revolving	\$3,014,045	3,278,913
Prepayment of Indigent Defense Fees	\$1,056	2,074
Civil Penalty - Sex Offender Registry	\$32,362	36,561
Impoundment Fee	\$200	413
Drug Abuse Surcharge	\$172,575	171,899
DOT Commercial Vehicle (602.8105(5))	\$2,536,725	2,405,991
DOT \$.50 Copy Fee-Record of Conviction (HF704)	\$397	237
SUBTOTAL	\$91,092,304	103,784,628
FEES TO COUNTY OR CITY		
Sheriff's Fees	\$893,239	974,882
Indigent Defense Reimbursed to County	\$28,193	21,597
Surcharge - County - 5% Less City	\$519,564	568,095
Fines & Int., Court Costs, Ind. Def. Reimb (35%)	\$606,377	646,765
City Fines and Forfeited Bail (90% Fines)	\$6,514,809	6,738,193
Surcharge (5%)	\$116,268	125,095
City Infractions - Penalties/Forfeitures (90%)	\$213,440	251,172
Miscellaneous (Includes Impoundment Fee)	\$506,245	562,955
County Infractions - Penalties/Forfeitures (90%)	\$1,573,943	1,627,050
SUBTOTAL	\$10,972,077	11,515,805