

Domestic Violence Response Training for Judges, Magistrates and Clerks

By Jennifer Juhler

Over the next two years, judges, magistrates and clerks will receive specialized cultural training as part of a broadly based project to improve the state's response to domestic violence, and in particular, to reduce domestic violence in the African-American community. Funding for the project, called the Iowa Accountability Project, comes from a federal grant. The total grant award is approximately \$1.5 million for two years.

Five groups are involved in the project: the Iowa Judicial Branch, the Iowa Coalition against Domestic Violence, the Iowa Department of Corrections, the Fifth District Department of Correctional Services, and the Iowa Commission on the Status of African-Americans.

Project objectives include, among other things:

- Create culturally specific programming for African-American batterers.
- Develop a batterer assessment tool in order to more appropriately direct correctional programming.
- Develop and conduct cultural competency education and training for legal professionals.
- Conduct safety and accountability audits in 10 communities, with special emphasis on engaging African-American leaders.
- Enhance the reach and expertise of the Iowa Commission on the Status of African-

Americans as a leader and resource for coordination of statewide efforts to reduce domestic violence in the African-American community.

A number of education conferences for court personnel are part of the package. The plan calls for one general education conference each for judges and for magistrates, a series of conferences for clerks of court, and small group education programs for judges. Program topics will include domestic violence policy and practice and sensitivity training. The grant will also support development of materials for inclusion in the clerk of court web-based manual.

Jennifer Juhler, with the State Court Administrator's office, is project director.

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Eisenhauer Serves As International Judge in Kosovo

Most Americans would not welcome the opportunity to live and work in a foreign country ravaged by years of ethnic violence, on the brink of falling back into a state of anarchy. But a deep interest in European history, war crimes, and justice, led Court of Appeals Judge Larry Eisenhauer earlier this year to leave the security and comforts of home to serve as an international judge for the United Nations Mission in Kosovo. He returned last month after a six-month term of hearing cases involving war crimes, ethnic violence and organized crime.

Judge Eisenhauer's twenty years of experience as a judge did not fully prepare him for the international court. He received no formal advance training from the U.N., and consequently, devoted his first few weeks in Kosovo to reading codes and talking with other judges and court officials to learn about applicable laws and the continental legal system.

"I was posted to Prizren in the south of Kosovo and Judge Claudia Fenz from Austria and our legal officer, Virginie Monchy from France, gave me a wealth of information, advice and guidance," said Judge Eisenhauer. "Each case would involve four judges, one working as an investigative judge and three judges who hear the case as a panel."

"The international judges and prosecutors were inserted into the existing system, rather than work as a separate court. This was the first use of this type of hybrid

international court. The cases heard by the international judges are selected by the special representative of the secretary general of the U.N."



One of Judge Eisenhauer's first cases involved charges of trafficking in persons and rape. "Trafficking in persons, particularly young women for prostitution is a major problem. Extreme poverty combined with promises of a job and better future make young women susceptible," said Judge Eisenhauer.

Eisenhauer presided in the case with a three-judge panel. The court applied the new Kosovo Criminal Code and Rules of Criminal Procedure in the trafficking case. Dealing with a foreign procedure required daily study of the law and procedure. "There were many unexpected events along the way to trial. The first day of trial one of the victims showed up with the defendant's mother who claimed the 15-year old victim and the defendant had married," said Judge Eisenhauer. "Ultimately, the defendants were sentenced to 12 years in prison, apparently the longest sentence ever imposed for human trafficking."

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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.

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www.judicial.state.ia.us

Judging in Kosovo

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Judge Eisenhower served as the investigating judge in a case concerning a failed attempt to bomb a bridge used by passenger trains. The bomb exploded prematurely, killing two of the three perpetrators.

An investigative judge serves a quasi-prosecutorial role. After a prosecutor reviews police reports and requests an investigation, the matter goes to the investigating judge. Within 72 hours of arrest, the investigating judge questions the suspect. A court reporter records the interrogation. The investigating judge determines whether the investigation should proceed. The investigation may span several months during which time the suspect remains in custody. After the investigation is finished and facts are clarified, the case is given to the prosecutor who has 15 days in which to file an indictment. The investigating judge may not serve as a trial judge in the case and in any subsequent proceedings.



The three-judge panel for the trafficking case consisted of (l to r) local Kosovo Judge Tershnjaku, Judge Eisenhower and Judge Tim Baland, trial court judge from Minnesota.

“I completed the investigation of the bomb case a week before I returned to Iowa,” said Judge Eisenhower. “I examined eight witnesses, including all of the former owners of the defendant’s car, and others who were with him when he was arrested.”

Judge Eisenhower predicts it may take a generation and a continued international presence to ensure stability and peace in Kosovo. The rule of law will take time to become instilled in the area. The primary goal of the UN and the International Judges is to bring justice and help reconcile people who have been torn apart by war and ethnic strife.

As for himself, he found the experience challenging, enlightening and rewarding. The opportunity to work with legal professionals from Poland, Russia, Philippines, Austria, France, Mauritius, and Kenya was incredible. And he’s very glad to be home.



Not far from Judge Eisenhower’s residence, this Serbian Orthodox Church was surrounded by barbed wire fencing. The building had been burned in riots in 2004.

Drug Courts are Focus of Workshop

By John Goerd

In 1989, the state court in Dade County (Miami), FL, organized the first drug court program. Today there are about 1500 drug courts in the U.S., including several in Iowa. These “problem-solving” courts were the primary focus of the 12th annual workshop at Lake Panorama in September, a cooperative effort of state court administration and the Iowa Academy of Trial Lawyers.

How are “problem-solving courts” different from regular courts? Problem-solving courts do not just render judgments in cases before them. Instead, they collaborate with criminal justice and social service agencies to facilitate and regularly monitor the treatment of repeat nonviolent offenders with substance abuse or mental health problems. The goal is to rehabilitate these offenders so they can lead more stable and productive lives and avoid further contact with the justice system.

Typically, offenders participate in drug court as a condition of probation. (The alternative usually is prison time.) They go through a four or five stage program of treatment, counseling, education (toward a GED, life skills, etc.), and aftercare. They agree to periodic drug testing and regular appearances before a judge (in most programs), who monitors their progress. Judges usually tolerate several breaches of the rules (e.g., drug use identified by a urine test) before removing an offender from the drug court program because of the difficulty almost all addicts experience in overcoming drug addiction. Participants

usually require one to two years to successfully complete the program.

This year the workshop featured presentations by teams involved in three problem-solving court programs in Iowa. Judge Karla Fultz led a team that did a presentation on the Family Drug Court Program in Polk County. The team included representatives from the Polk County Attorney’s office, the Department of Human Services, and the House of Mercy (a drug treatment facility in Des Moines).

Judge Fultz (who also oversees the juvenile drug court in Polk County) and her team creatively applied the principles and process involved in the juvenile drug court to oversee treatment of drug-addicted mothers involved in “child in need of assistance” (CINA) cases. Since it began in November 2002 (without any additional funding), the family drug court program has served 90 families – involving 142 children. The program has achieved sobriety by the mother and reunification of the family in 72 percent of these cases. According to Todd Beveridge, Director of the House of Mercy, this is a remarkable achievement, especially given the difficulty in treating people addicted to methamphetamine, the drug of choice for almost two-thirds of the women in the program.

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Drug Courts

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Gary Niles, Chief Juvenile Court Officer for the 3rd Judicial District, led a team that made a presentation on the Adult & Juvenile Drug Court in Woodbury County – the first drug court in the nation to use citizen volunteers, who work on panels with three or four members, to oversee offenders in the drug court program. (In all other types of drug courts, participants appear before a judge.) Niles' team, like the Family Drug Court team in Polk County, organized and implemented their innovative program without special funding. They decided to use citizen volunteers to monitor drug court participants so they would avoid placing any additional burden on judges. In addition, because it was the first program in the nation to use citizen panels to supervise offenders in drug court, a team from the University of South Dakota obtained a federal grant to conduct an extensive evaluation of the program. The USD researchers concluded that the Woodbury County drug court achieved a higher level of success (i.e., less recidivism) than the typical drug court in the U.S.

One might assume, based on the presentations from teams in Polk and Woodbury Counties, that problem-solving courts tend to be located in urban areas, where the demand is greatest. But these types of programs can also be organized to serve rural counties. To illustrate this point, Judge David Lester and a team from the

Integrated Services Pathway Program made a presentation at the workshop. With the cooperation of county sheriffs and county attorneys, this program attempts to identify — as soon as possible after arrest — criminal offenders who need mental health services. The program began in three rural counties in the 3rd Judicial District, with funding from a federal grant. Because of the success of this initiative, the federal grant has been extended and the program is being expanded to serve a total of eight rural counties in the district.

Why have problem-solving courts become so popular? Panelists at the workshop estimated that drugs and alcohol play an important role in an estimated 80 to 90 percent of all indictable criminal and domestic abuse cases and an increasingly large percentage of dissolution, tenant evictions, and debt collection cases. Many criminal cases involve repeat nonviolent offenders whose real problem is drug addiction. The cost per offender for a drug court and treatment program is much less than the cost of incarceration, so both state and federal governments see the cost-effectiveness of these programs. Unfortunately, according to workshop panelists, drug courts in Iowa (and most other states) serve only about three percent of criminal offenders. Many others would benefit from a drug court program, but funding for courts, prosecutors, public defenders, social service agencies, and treatment providers has suffered in the past several years.

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New Clerk of Court



Tamarra Washington was sworn in as Lee County Clerk by District Court Judge R. David Fahey in September. Previously, she was Trial Court Supervisor for Des Moines and Henry counties. Tamarra has been employed for 22 years by the Judicial Branch.

Assistant DCA



Bill Watson, (right) Fort Dodge, is the new Assistant District Court Administrator for District Two. Bill has worked in the Webster County Clerk's office since August 1997. Prior to his judicial employment, Bill spent over 10 years in management in private businesses.

25 Years



Larry Murphy, (left) Director of Information Systems & Technology, was honored recently for 25 years of service to the Judicial Branch. Larry was district court administrator in District Two for seven years prior to his current position.

20 Years



Judge Timothy O'Grady presented Melanie Thomas, District Four finance and personnel manager with a certificate of appreciation for twenty years of service. Melanie has resigned to be a stay at home mom.

20 Years

Sharon Hanson recently retired after working fifteen years for the Court of Appeals. Prior to that, she worked at Polk County clerk's office for five years. Sharon is pictured with Chief Justice Lavorato.



New Faces

Supreme Court: **Vicki Buter**, *Des Moines*, **Royce Fichtner**, *Des Moines*, **Kristy Latta**, *Des Moines*, Law Clerks; **Ann Tabor**, *Des Moines*, Screening Attorney.

Court of Appeals: **Mara Deaton**, *Des Moines*, Confidential Secretary; **Kendra Laffe**, *Des Moines*, **Laura Ostrander**, *Des Moines*, **Nicole Parks**, *Des Moines*, **Sara Schultz**, *Des Moines*, **Amy Teas**, *Des Moines*, Law Clerks; **Deborah Svec-Carstens**, *Des Moines*, Screening Attorney.

State Court Administration: **Rodney Stairs**, *Des Moines*, Maintenance Repairer.

ICIS: **Bradley Hunter**, *Waterloo*, **Scott Robertson**, *Des Moines*, **Geni Torstenson**, *Des Moines*, Information System Specialists.

District 1: **Thomas Straka**, *Dubuque*, **Daniel McClean**, *Dubuque*, **Shawn Harden**, *Independence*, Magistrates; **Kellyann Lekar**, *Waterloo*, District Court Judge.

District 2: **William Watson**, *Fort Dodge*, Asst. District Court Administrator; **Lori Hasfjord**, *Mason City*; **Lisa Mathis**, *Nevada*, Judicial Clerks; **William Fritz**, *Mason City*; **Jennifer Benson**, *Fort Dodge*, Law Clerks; **Matthew**

Otten, *Mason City*, Juvenile Court Officer; **Lawrence Jahn**, *Nevada*, District Associate Judge; **Jennifer Bicknese**, *Eldora*, **Douglas Krull**, *Northwood*, Magistrates.

District 3: **Kirk Albertson**, *Sioux City*, **Leah Patton**, *Sioux City*, Law Clerks; **Don Carter**, *Spencer*; **Debra Bergman**, *Sioux City*, Court Reporters; **Rick Kimble**, *Storm Lake*, Magistrate.

District 4: **Robert Gast**, *Council Bluffs*, District Finance/Personnel Mgr.

District 5: **Jennifer Ellis**, *Des Moines*, **Hayley Schuster**, *Des Moines*, **Gabrielle Rodriguez**, *Des Moines*, **Danny Sims**, *Des Moines*, **Bryon Murphy**, *Des Moines*, **Lory Kerner**, *Des Moines*, **Tara Terrozas**, *Des Moines*, Judicial Clerks; **Kelley Nickell**, *Des Moines*, Court Attendant; **Leslie Clemenson**, *Adel*, **Heather Dickinson**, *Des Moines*, **Duane Golden**, *Corning*, **Mary Pat Gunderson**, *Des Moines*, **James Piazza**, *Des Moines*, **Terry Rickers**, *Newton*, **Joseph Seidlin**, *Des Moines*, **David Welu**, *Des Moines*, **Colin Witt**, *Des Moines*, Magistrates; **Brenda Arndt**, *Des Moines*, **Julie Bussanmas**, *Des Moines*, **Joseph Tofilon**, *Adel*,

Michael Duster, *Des Moines*, **Katie Sandre**, *Indianola*, Law Clerks; **Sharon Schafer**, *Creston*, Juvenile Court Officer; **Megan Hassel**, *Des Moines*, Court Reporter.

District 6: **Joseph Ursic**, *Cedar Rapids*, **Alison Stites**, *Cedar Rapids*, Law Clerks; **Jodene Plummer**, *Iowa City*, Court Attendant; **Mitchell Turner**, *Cedar Rapids*, District Court Judge; **Karen Egerton**, *Iowa City*; **James Martinek**, *Iowa City*; **David Grinde**, *Cedar Rapids*, **Marty Hage**, *Cedar Rapids*, **Jill Ableidinger**, *Cedar Rapids*, **Chad Frese**, *Toledo*, Magistrates.

District 7: **Gary Strausser**, *Muscatine*, District Associate Judge; **Dennis Jasper**, *Davenport*, **Kyle Williamson**, *Davenport*, **Corliss Baty**, *Maquoketa*, Magistrates; **Howard Thomas**, *Davenport*, District Court Administrator; **Angela Foht**, *Davenport*, **Chris Raker**, *Davenport*, Law Clerks; **Sandra Griebel**, *Tipton*, **Pamela Letcher**, *Davenport*, **Sarah Scherler**, *Davenport*, **Alysia Stanger**, *Davenport*, **Alma Brunson**, *Muscatine*, Judicial Clerks; **Heidi McDonough**, *Muscatine*, Court Attendant; **Lori Mattaidess**, *Davenport*, Court Reporter.

Milestones: Service Anniversaries

25 Years

Helen Beardmore, Juvenile Court Officer, *Winneshiek County*.

Susan Glandorf, Court Attendant, *Linn County*.

Steven Roelle, Juvenile Court Officer, *Muscatine County*.

Sharon Lamb, Juvenile Court Officer, *Polk County*.

Debra Shields, Court Reporter, *Linn County*.

William Snyder, Director of Human Resources, *SCA Des Moines*.

Marcia Eckerman, Clerk of District Court, *Dickinson County*.

Candice Bennett, Chief Juvenile Court Officer, *Linn County*.

Rex Steinkruger, Judicial Magistrate, *Davis County*.

Dana Echelbarger, Juvenile Court Officer, *Muscatine County*.

Darci DeCrane, Judicial Clerk, *Scott County*.

William Mauss, Juvenile Court Officer, *Dubuque County*.

30 Years

Ruth Frush, Chief JCO, *Black Hawk County*.

Beverly VanDeWeerd, Clerk of Court, *Lyon County*.

Pamela Christians, Juvenile Court Technicians, *Cerro Gordo County*.

Phillip Turnis, Juvenile Court Officer, *Delaware County*.

Jerry Larson, Supreme Court Justice, *Des Moines*.

Ronda Frye, Judicial Clerk, *Linn County*.

Kathleen McDonnell, Juvenile Court Officer, *Polk County*.

Margaret Deimerly, Judicial Clerk, *Iowa County*.

Bar Exam Results: 81% Pass

The July bar exam was administered in Des Moines to 227 aspiring lawyers.

The results of the exam revealed 184 participants passed the exam, an 81% pass rate. The University of Iowa had the highest number of test takers, 78, of which 66 passed. Fifty-three out of seventy-two Drake students passed the exam.

Graduates from 44 law schools took the exam. While most of the people who took the exam graduated from the University of

Iowa, Drake and Creighton, there were graduates from schools around the country, including Stanford, Yale, University of Pacific, Loyola, Gonzaga, Valparaiso, Cornell, University of Kansas, and others.

People who had taken the exam before didn't fare as well. Only three of nine who were taking the bar for the second time passed and none of the four who were taking the test for the third time were successful.

Judicial Institute

By Jerry Beatty

The 15th Annual Iowa Judicial Institute was held at Drake University Law School, August 1-3, 2005. The focus at this year's program was judicial writing. Professor Tim Terrell, Emory University Law School, returned to the Institute for the third time to give another outstanding presentation on the principles and techniques of effective legal writing. In addition to addressing opinion structure, organization, strong introductions, coherent paragraphs, concise sentences, nominalization, and good editing, Professor Terrell reviewed the opinions of program participants and provided constructive feedback.

Other topics discussed at the Institute were criminal defense issues, juvenile justice

concerns, internet pornography, ethics, and the cost of civil justice. IJI attendees also toured the new state-of-the-art laboratory facilities on the DMACC campus used by the Division Criminal Investigation (DCI), Department of Public Safety and the State Medical Examiner, Department of Public Health.

The IJI faculty included: Professors Robert Rigg, J. Karnale Manuel, and Mark Kende, attorneys Nick Critelli and David Beckman, and Justice Michael Streit.

The Iowa Judicial Institute alternates each year between Drake and Iowa law schools. Next year's IJI will be held early in August at the University of Iowa College of Law.

Adoption Saturday November 19

This year's Adoption Saturday will be November 19, 2005. This will be the Fifth Annual Adoption Saturday hosted by the Polk County Model Court. The entire courthouse will be dedicated to celebrating families. In place of the usual fare of adversity, there will be flowers, balloons, and smiles.

"Adoption Saturday" is the brainchild of Judge Michael Nash, Lead Model Court Judge in Los Angeles, CA. It has developed into a national event to draw attention to the need for children to have safe and permanent homes. On any given day in the United States, there are approximately 500,000 abused and neglected children in foster care. Courts have terminated the biological parents' rights in many of these cases and thousands of children are awaiting adoptive homes. In Des Moines, we finalize and celebrate both foster care and private adoptions on Adoption Saturday.

The goals of our "Adoption Saturday" are:

1. To provide a family-friendly atmosphere for finalizing Chapter 232 and 600 adoptions in private hearings.
2. To increase awareness of the increasing need for foster and adoptive families.
3. To educate prospective foster and adoptive parents. Agency representatives and foster and adoptive families will be available to talk privately with anyone interested in learning more about foster/adoptive parenting.
4. To celebrate new forever families.

The Polk County Courthouse will open at 8:30 a.m., on November 19, 2005, for the event. There will be a celebratory program from 10:30 until 11:00 a.m. There will also be information booths, family portrait photography, and free refreshments. The public is cordially invited to attend.

Judges, lawyers, court reporters, clerks of court, court attendants, CASA's, social workers, JCO's, and many others generously volunteer their time to assure the success of this event. Among the judges who participate are judges who speak some Spanish and Russian, making the proceedings especially memorable for children who speak these languages.

Attorneys for families who are interested in finalizing adoptions at this event should contact Judge Connie Cohen at (515) 286-3037 for more information. Other questions can also be directed either to Judge Cohen or Sherrie Schuck, Administrative Assistant, at (515) 286-3198.

Counties interested in technical assistance to organize a local Adoption Saturday can find help at the website: www.nationaladoptionday.org.

Blogging can be good for you!?!

By Leesa McNeil

While the word blogging may be new the concept is not. The term blog—technically a weblog—was coined by Peter Merholz in 1999 when he broke the word *weblog* into the phrase “we blog” and the term has since been used as a noun and a verb. Blogging combines the personal web page with tools to make linking to other pages easier. According to Wikipedia, blogs “range in scope from individual diaries to arms of political campaigns, media programs, and corporations. They range in scale from the writings of one occasional author, to the collaboration of a large community of writers.” (Retrieved September 8, 2005 from <http://en.wikipedia.org/wiki/Blogging>).

The National Center for State Courts (NCSC) has launched a new on-line “blog” version of the Court Technology Bulletin (CTB), which can be found at http://www.ncsconline.org/d_tech/courttechbulletin/html.asp. This is a valuable resource to find links to NCSC technology-related information such as vendor lists and functional standards. Judges and court staff interested in learning ways to do their jobs more efficiently through technology and who want to stay informed on subjects such as courtroom technology, e-filing,

technology management, GJXDM, new product announcements, conferences and education, and even software use tips should visit the *Court Technology Bulletin*. (Center Court, Summer 2005, Vol. 8 No. 2, p. 5).

Family Violence Forum

The Family Violence Forum is a newsletter that is a product of the Family Violence Community of Practice—a collaborative team of researchers, educators, and information specialists with the mission of improving the justice system’s response to violence within the family. To view the newsletters and a full array of court-related information on family violence visit <http://www.ncsconline.org/famviol/index.html>. Select the research tab on the Center for Family Violence and the Courts site to find policy papers and resolutions adopted by the Council of Chief Justices and the Conference of State Court Administrators.

Projects in Progress

By Leesa McNeil

The Second Judicial District is fortunate to have the North Iowa Dispute Resolution Center operating within their district. Based in Cerro Gordo County, a county operated program has been implemented that diverts nonviolent criminal cases—mainly theft-type cases—as referred by the county attorney. The diversion program is a voluntary program that uses trained mediators to help resolve the criminal cases. Defendants that successfully participate in the program can avoid criminal charges. Civil cases may also be ordered to participate in mediation through the Center prior to a trial. Donna Van Note directs the program and may be reached at 641-421-3119.

Court Awards Grants for Legal Services for Low-Income Iowans

Low-income Iowans with civil legal problems will benefit from grants approved by the Iowa Supreme Court. The court recently approved grant awards totaling just over \$630,000 for fifteen legal service projects, involving fourteen organizations. Funds for the grants come from the Interest on Lawyers' Trust Account (IOLTA) program.

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 court approved the following grants for the current fiscal year:

- **Iowa Legal Aid (Des Moines)—\$305,000.00**

Legal staff to serve Sioux City, Dubuque, Council Bluffs, Des Moines, Waterloo, Ottumwa, Mason City, Cedar Rapids, and Iowa City 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)—\$74,028.00**

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: Scott County and Clinton County.)

- **Muscatine Legal Services (Muscatine)—\$21,000.00**

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)—\$22,900.00**

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)—\$31,500.00**

Staff for volunteer lawyer referral program serving the low-income community. (Service area: Polk County.)

- **Sioux County Low Fee Panel, Sioux County Bar Association (Sioux Center)—\$1,715.00**

Provides civil legal assistance for economically disadvantaged individuals. (Service area: Sioux County.)

- **Iowa State Bar Association Public Service Project (Des Moines)—\$58,500.00**

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Grants for Legal Services

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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)—\$13,400.00**

Provides 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.)

• **Black Hawk County Bar Association Program of Legal Assistance for Low-Income Residents (Waterloo)—\$16,700.00**

Legal staff to provide legal services for economically disadvantaged individuals. (Service area: Black Hawk County.)

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

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)—\$36,075.00**

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)—\$12,500.00**

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

• **Iowa Coalition Against Domestic Violence (Des Moines)—\$10,900.00**

Provides immigration and domestic violence related legal services to battered immigrant women and their children. (Service area: statewide.)

• **Iowa Coalition Against Sexual Assault (Des Moines)—\$10,422.00**

Supports 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)—\$13,400.00**

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

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 IOLTA program began, it has provided nearly \$18 million in grant awards for legal services for low-income Iowans as well as for special projects relating to law-related education and improving the administration of justice in Iowa.

Fees & Fines Collected FY 05

Court generated revenue directed to the state rose 4% in FY 05 compared to FY 04 collections. Court revenue to cities and counties increased 6% during the same period. Of notable interest: fine collections for the charge of no proof of insurance jumped 20% last year—the highest increase among all categories.

FEES TO STATE

Filing Fees - Civil \$100 / Appeal Fees	4,757,361.17
Filing Fees - Small Claims \$50	4,270,433.47
Filing Fees - Indictable Criminal \$30	1,158,126.60
Filing Fees - Parking Violations	55,475.80
Filing Fees - Contempt Violations	33,679.64
Court Costs-SV, Ct App, Nonsched., Other Simple \$17	10,358,078.46
Miscellaneous Court Fees	7,029,476.79
Entry Final Decree of Marriage Dissolution \$50	456,646.52
Interest Earned on Invested Funds/Late Payments	240,911.95
Fines, Forfeited Bail, Infractions, and Law Surcharge	36,239,428.20
City Fines and Forfeited Bail 10%	723,953.08
Fine - Driving No Proof of Insurance	3,190,896.95
Late Settlements - Civil Jury Trial \$500	28,679.36
Surcharge 95%	12,100,501.02
Indigent Defense Reimbursement to State	4,691,294.53
Collected Delinquent Amts to J&W Revolving	3,014,045.43
Prepayment of Indigent Defense Fees	1,056.48
Civil Penalty - Sex Offender Registry	32,361.69
Impoundment Fee	200.00
Drug Abuse Surcharge	172,574.57
DOT Commerical Vehicle (602.8108(5))	2,536,725.12
DOT \$.50 Copy Fee Record of Conviction(HF704)	396.84
TOTAL	91,092,303.67

FEES TO COUNTY OR CITY

Sheriff's Fees	893,239.34
Indigent Defense Reimbursed to County	28,192.96
Surcharge - County - 5% Less City	519,564.29
Fines & Int., Court Costs, Ind. Def. Reimb 35%	606,376.72
City Fines and Forfeited Bail 90% Fines	6,514,808.56
Surcharge 5%	116,267.55
City Infractions - Penalties/Forfeitures 90%	213,439.62
Miscellaneous - Includes Impoundment Fee	506,245.47
County Infractions - Penalties/Fines	1,573,942.91
TOTAL	10,972,077.42

Katrina's Devastation Hits Close to Home

Hurricane Katrina's trail of destruction hit close to home. Family members of a Polk County judge and an appellate attorney suffered losses as a result of the hurricane. Many judicial branch judges and employees responded with donations for Katrina aid.

Juvenile Court Officer Mike Myers, District Two, drove a truck loaded with supplies as part of Iowa Cares organization. Churches and private donors in the Ames area donated the supplies. In all, four or five truckloads of donated food and clothing were taken to the Gulfport/Biloxi, Mississippi area to distribute to rescue personnel and disaster victims.

While in Mississippi, Mike toured some of the affected areas and also observed the aid distribution centers in action. "The destruction was massive and the relief efforts overwhelming and chaotic," said Meyers. "Yet the people there are determined to rebuild and move on with the help of many."

The storm affected Associate Judge Odell McGhee,

Fifth District, in a direct and tragic way. Judge McGhee was born in a small town a few miles north of New Orleans. He has many relatives in the Gulfport and New Orleans area. About 18 family members took refuge in an Aunt's home in Liberty, Mississippi. Tragically, the aunt's house caught fire the day after the hurricane. All of the relatives staying in the home escaped, but McGhee's aunt lost her life.

McGhee's family suffered other losses. Katrina destroyed four of the families' homes and damaged five others.

McGhee's colleagues and friends responded with cards, calls, and cash donations for the family. In addition, Polk County courthouse employees held a fundraiser for Katrina victims. "We raised over \$1500, which was all donated to the American Red Cross, in memory of Judge McGhee's aunt," said District Court Administrator Beth Baldwin.

The New Orleans home of Theresa Humpal, sister of supreme court screening attorney Donna Humpal, is uninhabitable due to



Chief Justice Lavorato presents check to Donna Humpal, supreme court screening attorney.

extensive roof and water damage from both hurricanes Katrina and Rita. Theresa fled New Orleans with one suitcase of clothes right before the hurricane hit. Humpal's sister is now unemployed because the Emeril-owned restaurant where she was worked is closed indefinitely. Employees and judges who work in the Judicial Branch Building in Des Moines raised money for Humpal's sister.

"All things considered, Theresa felt incredibly lucky. She gave the donations to two families who lost everything in the storm, including a single mother of four who spent three days in the New Orleans convention center before being evacuated to Houston," said Humpal.