

FY 2006: Court Approves More Judges, Staff, and Restores Travel

The Iowa Judicial Branch operating budget, which the Iowa Supreme Court approved late last month, is noticeably different from budgets of recent years. For the first time in five years, it doesn't include cuts. In addition, there are funds for much needed improvements. The budget restores travel to normal levels, adds more judges, magistrates, and staff around the state, funds education and training programs for judges and court personnel, and allows offices to fill more vacancies. *See page 3-Budget Highlights.*

"This budget is a welcome change," said Chief Justice Louis Lavorato.

Others agree.

"After holding as many as ten vacancies open at one time, it will be a welcome relief to be able to fill them as they occur," said Polk County Clerk of Court Lois Leary. "All counties will be able to provide better customer service by being appropriately staffed."

"I believe that returning to a normal travel schedule

which rotates several judges through each of the counties is welcomed by judges and lawyers alike," said Chief Judge Jon Stuart Scoles, 2nd Judicial District. "Also, the addition of a district associate judge in Story County will help address the growing workload in the district associate and juvenile courts."

"With travel restored to previous levels, juvenile court officers will be able to meet their casework obligations such as seeing clients on a regular basis whether they are at their homes, school or in placement," noted John Wauters, Chief Juvenile Court Officer, 8th Judicial District. "This allows juvenile court services to maintain the level of contact demanded either by district casework standards or the federal government."

Judges and employees who use their cars for business travel were pleasantly surprised by the Court's decision to raise the mileage reimbursement rate from 29 cents per mile to 35 cents per mile. The court ap-

proved the rate increase so that the reimbursement rate would catch up with rising gasoline prices.

"The increase in mileage reimbursement will benefit all judicial branch employees who travel as part of their official duties," said Chief Judge David Remley, 6th Judicial District. "Now that higher gasoline prices appear to be permanent, the additional reimbursement is necessary to avoid further increasing the extent to which Judicial Branch employees subsidize the State by using their personal vehicles."

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FY 2006 Budget

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Another improvement this fiscal year is the addition of fifteen judicial magistrates around the state. The legislature authorized the new positions and provided partial funding for them to counter the impact of a reallocation of magistrates throughout the state by the State Court Administrator. In the end, eight counties received additional magistrates. "Although this was not part of our budget request, we're certainly grateful for the additional support," said Chief Justice Lavorato.

Chief Judge David Remley says the additional magistrates will free up the time of district associate and district judges and enable them to attend to other

cases. "The addition of one new magistrate in Johnson County and two new magistrates in Linn County will enable the district associate judges to devote more time to juvenile court and serious and aggravated misdemeanors. In turn, the district judges will have more time to perform those duties which are exclusively within their jurisdiction," said Chief Judge Remley.

There's more good news. The legislature raised the salaries of judges and magistrates by 4.5%. And unlike last year, the legislature appropriated funds to cover most of the cost of raises for judges, magistrates and employees. Consequently, the judicial branch won't need to cut its



Linn County will be assigned two new magistrates.

operating budget to absorb this expense.

"I won't go so far as to say our financial difficulties are behind us for good, but at least this year we'll be able to restore public service to more normal levels and reduce some of the pressure on judges and employees," said Chief Justice Lavorato.

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Highlights of FY 2006 Judicial Branch Budget

- Funds all authorized/budgeted positions.
- Anticipates fewer vacancies and filling them sooner.
- Salary increases for exempt pay plan (non-contract covered employees) are similar to provisions of the AFSCME contract (i.e., 4.5% step increases on eligibility date).
- Funds 15 new judicial magistrate positions.
- Funds new district associate judgeships (including court reporter and court attendant positions) for Story, Dallas and Warren counties, effective October 1, 2005.
- Funds additional staff for clerks' offices in districts 4 and 5.
- Funds additional district court administration staff for district 4.
- Funds additional court attendant positions with new money and/or reallocation of existing positions from other components within a judicial district.
- Mileage reimbursement rate is increased from \$.29 to \$.35/mile, effective July 1, 2005.
- Travel has been restored to allow regular rotation of judicial officers as contemplated in Court Rules 22.6 and 22.8, and to allow juvenile court officers to properly supervise clients. Also, the suspension of Court Rules 22.6 and 22.8 is lifted.
- Ban on all out-of-state travel has been lifted.
- Funds education and training budget to begin implementation of new judicial branch education/training program.
- Includes funding for furniture and equipment line item. Funds will be distributed to districts quarterly or for special projects.
- Funds supply line item at FY 2005 level.
- Funds ICIS project to provide statewide program for emailing orders and administrative notices.
- Funds communications line item at FY 2005 level.
- Funds additional staff attorney for court of appeals.
- Funds judicial branch building operations.
- Transfers portion of ICIS operating expenses back into general fund budget.
- Funds child support referee pilot project.

District Three Magistrates



Of the fifteen magistrates from the Third Judicial District, fourteen were reappointed for another four year term. After 32 years of service James Gailey did not reapply and is retiring July 31, 2005. All magistrates convened for a district meeting during the June Magistrate Conference.

Pictured: Back from left to right: Rick Kimble (Magistrate-elect for Buena Vista County), Laurel Boerner (Ida), Fred Year (Osceola), Pat Tott (Woodbury), Jeff Queck (O'Brien), James Gailey (retiring as Buena Vista County Magistrate July 31, 2005), John Kauer (Emmet), Dan Plum (Sioux), William Ranniger (Crawford)

Front from left to right: Gary Taylor (Monona), Mark Laddusaw (Kossuth), Fran Honrath (Lyon), Ryan Kolpin (Cherokee), Pat Eich (Crawford), Dianne Wallwey (Clay), John Nelson (Woodbury)

Retirements



32 Years

James Gailey (left), served as a magistrate since the magistrate system was first put into place. Chief Judge Walsh, District 3, presented him with a certificate of appreciation for his service as Buena Vista County Magistrate for 32 years.

30 Years

Steve Smith, Chief Juvenile Court Officer for District One, retired after 30 years working for juvenile court services. Smith was appointed to his post 20 years ago as part of a state reorganization. Ruth Frush of Jesup is succeeding Smith as chief JCO.



25 Years

Janet Sandberg (front-center) recently retired after working 25 years as a secretary for the court of appeals. Janet is pictured with co-workers (left to right): Sara Cooper, Barb Harris, Sharon Hanson and Molly Rawls.



New Faces

Court of Appeals: **Charles A. Teas**, Des Moines, **Gina Badding**, Des Moines, Law Clerks; **Mara Deaton**, Des Moines, Secretary.

District 1: **Virginia Cronin**, Waterloo, Law Clerk; **Shawn Haren**, Independence, **Thomas Straka**, Dubuque, **Daniel McClean**, Dubuque, Magistrates.

District 2: **Christine Timmerman**, Fort Dodge,

Juvenile Court Officer.

District 3: **Jill Brown**, Sioux City, Judicial Clerk.

District 4: **Julie Walling**, Council Bluffs, **Lynn Rigby**, Council Bluffs, **Laura Kerr**, Council Bluffs, **Ann McClelland**, Council Bluffs, Judicial Clerks.

District 5: **Jack Gibbons**, Des Moines, **Kristi Dodson**,

Corydon, Juvenile Court Officers; **Deborah Ayres**, Des Moines, **Chereen Broderick**, Des Moines, **Andrea Brown**, Des Moines, **Sarah Erickson**, Des Moines, **Michele Frueh**, Des Moines, **Christina Sojka**, Des Moines, Jennifer Tietjen, Des Moines, **Bethany Moriarty**, Des Moines, Judicial Clerks.

District 6: **Matthew Jedrosko**, Cedar Rapids, Juvenile Court Officer.

Milestones: Service Anniversaries

25 Years

Judith Adams, Judicial Clerk, Worth County.

Linda Frank, Clerk of Court, Carroll County.

Sylvia Dawson, Judicial Clerk, Linn County.

Sheryl Sharp, Clerk of Court, Warren County.

Leanne Goettelman, Juvenile Court Officer, Winneshiek County.

Carol Williams, Clerk of Court, Pocahontas County.

Kathleen Biscontine, Juvenile Court Officer, Scott County.

Carol Egly, District Associate Judge, Polk County.

Cynthia Mehl, Juvenile Court Technician, Linn County.

Catherine Mills, Court Reporter, Polk County.

Sheri Partington, Judicial Clerk, Polk County.

Caryol Frericks, District Finance/Personnel Mgr, Linn County.

30 Years

Stephen Smith, Chief JCO, Black Hawk County.

Mary Skahill, Judicial Clerk, Story County.

Mary Johnson, Trial Court Supervisor, Woodbury County.

Claudia McCalley, Juvenile Court Officer, Winneshiek County.

Susan Griffith, Court Reporter, Linn County.

Spotlight - Branch Award Winners



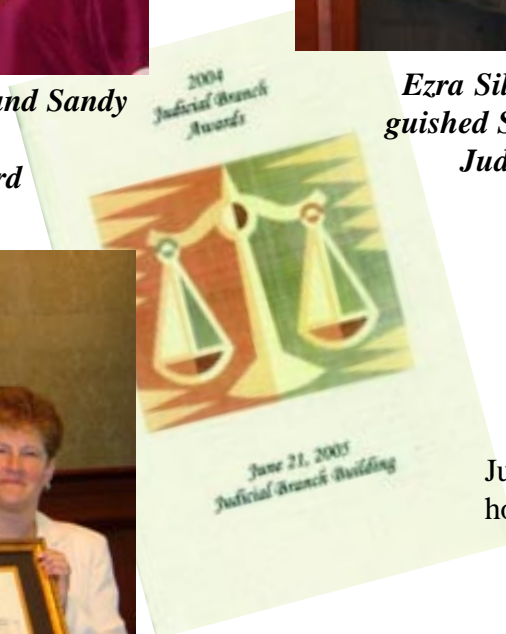
Chief Judge David Remley and Sandy Bine, recipient of Amicus Curiae Award



Ezra Silas, recipient of Distinguished Service Award and Chief Judge Arthur Gamble



Chief Judge Gamble and Judge Constance Cohen accepting the Court Innovation Award on behalf of Model Court Project team.



The recipients of the 2004 Judicial Branch Awards were honored in a ceremony at the Judicial Branch Building in Des Moines on June 21.



Judge Karla Fultz and members of the Juvenile Drug Court, co-recipients of Court Innovation Award.

Spotlight - Branch Award Winners



Chief Judge Alan Pearson and Judy Henry, recipient of Meritorious Award for Clerk of Court Employees



Susan Griffith, recipient of Meritorious Award for Court Reporters, and Judge Vern L. Robinson



Chief Judge Pearson with family of John Weber, deceased, recipient of Meritorious Award for Juvenile Court Employees



Bruce Goddard, recipient of Meritorious Award for Part-time Judicial Officers, and Chief Judge Remley



Award

Not pictured: Sylvia Silva, recipient of Meritorious Award for Administrative Employees

New Microsoft Office Product Being Installed

by Gay Wilson

Many Judicial Branch users have had a new version of Microsoft Office installed. All computers running Windows XP, and some with Windows 2000, have been or will be upgraded to Office 2003.

A number of Windows 2000 computers do not have enough hard drive space and/or RAM to meet the minimum requirements, so will remain using Office 2000. ThinClients will be upgraded to Office 2003 at a later date. There are many new features in this new version of Microsoft Office, including Excel, Access, PowerPoint and Publisher.

Training Available

Training has been available for several years at <http://icis.howtomaster.com>. This training can be done from any computer with Internet access, including computers at home, the public library, etc. A login and password are required. If you are interested in taking advantage of this opportunity, please contact the ICIS HelpDesk. You

will be given your unique login and password, as well as instructions on using this valuable training tool.

This same easy learning instrument also includes training modules for Office 97, Office 2000 and Office XP. In addition, learning modules are available for a variety of other software products, as well as Business Letter Writing, Time Management and Presentations. Anyone who has requested access can pick and choose what training meets their needs on an unlimited basis. The Judicial Branch pays a yearly fee, so it is requested that only those that will use the product request access.

Saving Documents

Several options are available for saving documents, but ICIS recommends all documents be saved to secure drives such as H (Home), S (Shared), or P (Public). These drives are on servers, which are backed up on a tape every night. If a document is deleted by accident, or becomes corrupt, a previous version can be recov-

ered from one of the backup tapes. The backups are made nightly, so documents created and lost prior to a tape backup, normally cannot be recovered.

The "H" drive is a user's personal drive that only can be accessed with their unique login and password. The "S" drive is shared within a department (i.e. Clerk's office) and the "P" drive is a district wide shared area. Every effort should be made to keep old documents, which will not be needed, cleaned out of the drives. Make sure to clean out only documents for which you are responsible.

Documents that are saved on the user's computer in a directory like "My Documents" would not be recoverable if deleted, or if the hard drive crashed. In addition, to make sure that you do not lose valuable work, the document should

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New Product Installation

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be named and saved when first created. This is done by clicking on File and then Save As. Choose where you want the document to be saved and then name the document. Within the name, capital letters and spaces can be used. Dashes or hyphens and underscores are also permitted, but commas, periods, apostrophes and

other punctuation should NOT be used.

Attachments in Lotus Notes

Attachments that are received in Lotus Notes can be Viewed, Opened or Saved. Viewing should only be used to view the document, not for printing, and no changes can be

made in this mode. If printing is desired, choose the Open option. While the document is open, it can also be saved by choosing File and then Save As. Change the saved location to the desired site and rename if necessary. When the document needs to be saved, but not opened currently, chose the Save option and choose the desired location.

KEYBOARD SHORTCUTS IN MICROSOFT WORD

Sometimes it is easier to use a keyboard shortcut, than to use the mouse. The following are just a few of the standard shortcuts included with Word:

Create, view and save documents

CTRL+N

Create a new document

CTRL+O

Open a document.

CTRL+W

Close a document.

ALT+SHIFT+C

Remove the document window split.

CTRL+S

Save a document.

Find, replace and browse through text

CTRL+F

Find text, formatting, and special items.

ALT+CTRL+Y

Repeat find (after closing **Find and Replace** window).

CTRL+H

Replace text, specific formatting, and special items.

Undo and redo actions

ESC

Cancel an action.

CTRL+Z

Undo an action.

CTRL+Y

Redo or repeat an action.

New and Amended Court Rules: January – June 2005

This is a summary of new and amended court rules approved by the Iowa Supreme Court during the past six months. This summary is only a partial statement of each rule. For the complete text of a rule or amendment visit: www.judicial.state.ia.us/rules/amendments

Iowa Rules of Professional Conduct. Effective July 1, the Iowa Rules of Professional Conduct replace the Iowa Code of Professional Responsibility as the rules of ethics governing Iowa attorneys. The new rules generally follow the American Bar Association's Model Rules of Professional Conduct with one notable exception—the court retained the overall substance of its previous ethical rules governing lawyer advertising.

Attorney Disciplinary Procedures. Effective July 1, the name of the Iowa Supreme Court Board of Professional Ethics and Conduct changed to the Iowa Supreme Court Attorney Disciplinary Board. Also, the court approved significant changes to Iowa's attorney disciplinary procedures. Among other things, the court revised the initial steps for the investigation of complaints as well as the procedures for disposing of complaints by public reprimand. In addition, the court approved a variety of conforming amendments throughout the Iowa Court Rules.

Criminal Procedure – Right to Counsel. The court amended Rule of Criminal Procedure 2.28 to require that an alleged parole violator who is indigent be advised during his or her initial appearance of the right to request appointment of counsel for parole revocation proceedings. Counsel shall be compensated as directed under Iowa Code chapter 815. The amendments took effect March 15, 2005.

New Features: News You Can Use and Projects in Progress



We're pleased to announce the addition of two new features, which we hope will become a permanent part of the Bench Press: News You Can Use and Projects in Progress.

The purpose of News You Can Use is to identify free resources, including publications, services, and websites, that may be of assistance to judges and court personnel. Our other new feature, Projects in Progress, is intended to highlight and promote court or court-related projects. Our thanks to Leesa McNeil, District Court Administrator, 3rd Judicial District, who suggested both ideas and who also volunteered to be our reporter.

News You Can Use

News: An ICWA (Indian Child Welfare Act) consultant position has been created with an Iowa Department of Human Services grant to provide technical assistance, training and consultation services between the Sac and Fox Tribe of the Mississippi in Iowa. Some of the goals of the consultant are to develop a tribal resource manual for ICWA contact information, serve as a resource for IDHS regarding emergency removals and placement of Indian children and provide technical assistance to individuals or agencies in the investigation and reporting of cases involving Indian children in general.

Contact person: Sabina Raemaeker, ICWA Consultant
c/o Meskwaki Family Services, PO Box 245
Tama, Iowa 52339
Phone: 641-484-4444
Fax: 641-484-2103
E-mail: sram@meswaki.org

Information provided by:
Leesa A. McNeil, District Court Administrator-Third Judicial District

News: The National Center of State Courts has developed a pocket guide for judges, attorneys and court staff that provides information on recognizing bias, how bias is manifested in the courtroom, eliminating bias, ensuring bias-free communication and behavior, demonstrating respect, neutrality and fairness, institutionalizing fairness, codes of conduct and bias, court or disciplinary cases involving bias, and identifying resources.

The guide, *Achieving Fairness Through Bias Free Behavior: A Pocket Guide for the Courts*, is available free and on-line from:
http://www.ncsconline.org/WC/Publications/KIS_RacFaiPocketGuide2005.pdf.

Information provided by: Leesa A. McNeil, District Court Administrator-Third Judicial District

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New Features

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Projects in Progress

Project Title: Drug Court operating in Ida, Cherokee and Crawford Counties

Description: This is a grant-funded initiative that started operating in February 2005 with support of the respective county attorneys, sheriffs and Judge Jacobson. Drug court sessions are held biweekly. Participants are selected on a case by case basis and must be sentenced on a drug related charge or a crime committed because of a drug addiction. All participants undergo an evaluation and must qualify for the program. Urine samples are collected weekly by law enforcement. In addition, participants must maintain full-time employment, meet with their probation officer weekly, attend Alcoholics Anonymous and/or Narcotics Anonymous meetings at least weekly, attend bi-weekly drug court, attend recommended counseling, terminate contact with drug-related associates, fulfill the requirements of the probation agreement and

make payments on all fines and restitution ordered by the court. As most drug court participants have lost their driver's license due to their conviction(s), volunteers are recruited to provide transportation for participants to attend NA, AA meetings at Jackson Recovery in Denison.

Keys to Success: Cooperation of the county attorneys, law enforcement, court and service providers.

Contact person: Drug Court Coordinator Michelle Means 712-364-3250

Information provided by: Leesa A. McNeil, District Court Administrator-Third Judicial District

Submissions for News You Can Use and Projects in Progress: We welcome and strongly encourage court personnel to submit information for this feature. Please submit information to Leesa McNeil. The Bench Press will not publish information about equipment, publications, services, or products for sale, including software programs. Nor will we publish information considered to be advertisements or promotions for private interests or gain. The Bench Press will publish information submitted by court personnel only.

Judicial Council Recommends New Case Processing Time Standards

Last month, the Iowa Judicial Council recommended that the Iowa Supreme Court replace its long-standing case processing time standards, used as guidelines for the disposition of cases by the trial courts, with new time standards developed by a study committee. *See page 15.*

“The new standards are realistic while encouraging the judicial branch to continue to improve how its caseload is processed,” said Chief Judge Alan Pearson, 1st Judicial District.

The current time standards (see Iowa Court Rules, Chapter 23) were first adopted in 1985 and have changed little over the years. Recognizing that the continuing utility of the time standards may have diminished over the years, the Iowa Supreme Court asked the Judicial Council to review the standards and recommend changes necessary to better align them with current workload and resources.

The Judicial Council assigned the responsibility to a study committee composed of Chief Judge James Blomgren, 8th

District, Chief Judge Alan Pearson, 1st District, District Court Administrator Carroll Edmondson, 6th District, and District Court Administrator, Scott Hand, 2nd District. Judicial Branch Planner John Goerdts and Larry Murphy, Director of Information Systems and Technology assisted the committee.

The committee reviewed case processing statistics from the district courts, case processing time standards in other states, and standards recommended by the American Bar Association. Also, the committee sought comments on a draft of its report from all judges, magistrates, clerks of district court, district court administration staff, and members of seven attorney organizations.

The committee recommends the following items:

- Adopt new time standards to replace the existing standards except juvenile time standards.
- Create a separate committee composed of district associate judges and juvenile judges to evaluate current juvenile case processing time standards.
- Review the standards at least every five years.

- Revise case processing time reports to conform with new time standards.
- Add three statistical reports.
- Discontinue the statistical report on hearings along with the corresponding requirement that judges indicate certain hearing information on their orders.

“The proposed time standards will provide useful benchmarks that allow courts to measure their progress in achieving systematic goals for the timely disposition of cases in Iowa,” said Carroll Edmondson. “They reflect our collective experience and knowledge about the capabilities of Iowa’s courts as well as our aspirations as to how well Iowa courts should be performing.”

The council approved the report and recommended the supreme court implement the committee’s recommendations. The supreme court plans to consider the report in August.

Proposed Case Processing Time Standards for District Courts

	PROPOSED Time Standards: % of cases to be disposed within time goals (from filing to disposition)	CURRENT Time Standards (filing to disposition, except crim.)
1. Indictable Criminal**	90% in 6 months** 100% in 12 months** (information/indict to disposition)	Felony: 6 months Misdemeanor: 4 months (arrest to trial)
2. Simple Misdemeanors	95% in 4 months 100% in 6 months	Misdemeanor: 4 months
3. Regular Torts	90% in 18 months 100% in 24 months	Civil jury: 18 months Civil nonjury: 12 months
4. Complex Torts (med & prof malpractice, product liability/toxic substances)	85% in 24 months 100% in 36 months	Civil jury: 18 months Civil nonjury: 12 months
5. Other Law & Equity	90% in 12 months 100% in 18 months	Civil jury: 18 months Civil nonjury: 12 months
6. Domestic Dissolution/Modification	90% in 9 months* 100% in 15 months*	Contested: 8 months Uncontested: 4 months
7. Domestic Abuse	90% in 2 months 100% in 4 months	(Statute)
8. Domestic: All Other	85% in 6 months 100% in 12 months	Contested: 8 months Uncontested: 4 months
9. Estates w/o admin. & small	90% in 3 months* 100% in 6 months*	(Statute)
10. Estates full administration	85% in 24 months* 100% in 36 months	(Statute)
11. Small Claims/Infractions	90% in 4 months 100% in 8 months*	2 months
12. Juvenile cases	No change	See Chapter 23 of the Court Rules

*Requires a change in the case processing time statistics report for this case type; the month indicated is not currently included in the case processing time report.

**Case processing time should be measured from the filing of the trial information or indictment rather than the filing of the complaint; this will also require a change in the existing statistical report on criminal case processing times for felonies and indictable misdemeanors.

The report of the Judicial Council Case Processing Time Standards Committee is available online at www.judicial.state.ia.us/reports.

Joint Task Force Urges Action to Facilitate Pro Se Litigation

“Litigants often do a poor job representing themselves, perhaps missing issues or controlling legal authority, . . . pro se litigation can also create burdens for the already strained court system. Pro se litigants require more time and assistance from court staff and judges than do lawyers adept at legal procedure. When court staff provide the help to unrepresented parties that due process may require, the unwary among them may fall into the trap of unauthorized practice of law.” *Delivery of Justice: Access and Quality, Recommendation 4.3, Report of the Iowa Supreme Court Commission on Planning for the 21st Century, June 1996.*

Most judges and court employees know first hand the difficulties presented by pro se litigation and identified by the Supreme Court Commission on Planning for the 21st Century. The Commission urged the courts to “take the initiative by devising streamlined pro se programs.” The Commission recommended: “The Judicial Branch should develop educational

programs designed to assist persons not represented by a lawyer, and adopt state-of-the-art systems that facilitate self-representation in appropriate cases.”

While many of the Commission’s recommendations have been implemented in some form over the years, little has been done to facilitate pro se litigation in Iowa.

But this may soon change.

A recent report of a joint task force of the Iowa Judges Association and Iowa State Bar Association may provide fresh impetus for adopting measures to aid pro se litigants.

In its report, the joint task force stressed that the needs of pro se litigants in Iowa “can no longer be met with a piecemeal response. Innovative, organized leadership from the bench and bar under the auspices of our Supreme Court is necessary to maintain equal justice for all who enter our courts.”

The joint task force recommended a series of specific measures aimed at facilitating pro se litigation, includ-

ing support for more funding for civil legal aid. In addition, the joint task force proposed implementation of its recommendations under the “direction of a commission or task force established by the Supreme Court of Iowa with representation from the staff of the Court, lawyers, judges, clerks of court and, possibly, citizens interested in the issue of pro se litigation.”

The Iowa Judges Association approved the report at its June meeting. According to Judge Patrick Grady, co-chair of the joint task force, officials of Iowa Legal Aid as well as the American Judicature Society have offered to assist the court with implementation.

The Iowa Supreme Court will consider the report in August.

For summary of recommendations, see page 17.

Summary of Joint Task Force Recommendations

Family Law: Forms, Instructions and Information

- The Iowa Supreme Court should adopt model family law forms and instructions for use by litigants and make them available on the court website, as well as in hard copy form for distribution at the Clerk of Court's office and other appropriate locations. Parties who are not represented should be required to use the court-approved forms.
- The model forms should be accompanied by easily understood instructions that will assist pro se litigants as they complete the form.
- Model orders should be made available and used in cases where there are pro se parties to assist the pro se parties in preparing a case for trial.
- The Iowa Supreme Court should require judicial districts to experiment with different means of providing assistance to pro se litigants, such as self help desks, videotapes on court procedure, personal assistance to fill out forms and others.

Clear Directives for Pro Se Parties and Flexibility for Judges

- The Supreme Court of Iowa should adopt and promulgate a model set of clear, written directives for self-represented litigants that are made available to them as early as practical in the litigation process. These should include an explanation of the process and the expectations the judge will have of them at the time of hearing. These expectations should, where possible, be accompanied by a pre-trial conference where a judge or another person cloaked with the authority of the court can help determine the issues and monitor compliance with discovery and other expectations. Both represented and self-represented parties must be made aware that the judge has the final discretion as to when and how to solicit evidence to carry out his or her role to provide each litigant a fair trial with a just and legal result.
- The Court should direct each district to develop procedures, such as pre-trial conferences, to ensure that pro se litigants are prepared to present their cases.

- The Court should adopt ABA Standard 2.23 of the ABA Standards of Judicial Administration and the Commentary as part of the Iowa Code of Judicial Conduct.
- The Court should amend Rule of Evidence 5.614(b) textually or by comment to define "necessary in the interest of justice" to include judicial intervention to place material facts in the record that would not otherwise be made part of the record without that intervention.

Facilitate Limited Legal Representation (Unbundled Legal Services)

- The Supreme Court of Iowa should amend the Iowa Rules of Professional Conduct to require a written agreement delineating the agreed-upon scope of services and acknowledging the client's consent in limited representation cases except where the representation is in connection with services provided by a lawyer employed by a nonprofit legal services program or participating in a nonprofit or court-

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Pro Se Litigation

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annexed legal services program, and for all other attorneys, when phone consultation is the extent of legal services provided.

- The Court should clarify ethical rules regarding an attorney's communications with an opposing party who has received limited legal representation and the requirement to conduct conflict checks.
- The Court should amend procedural rules with regard to preparation of court documents, appearances and withdrawals to facilitate unbundled legal services.
- The Iowa State Bar Association should sponsor educational events on the issues surrounding limited legal representation.

Full Funding of Legal Aid Services

- The Task Force recommends that bench and bar should take whatever steps are necessary to work for and maintain sufficient funding for civil legal aid to allow low-income Iowans reasonable access to legal services. Alternatives adopted by other states should be considered for adoption in Iowa.
- The Task Force recommends that the Supreme Court of Iowa adopt a pro hac vice rule that would require the payment of \$250 per lawyer per case any time that an attorney not licensed to practice in Iowa seeks admission pro hac vice. Proceeds from this fee should go to existing legal aid entities.
- The Iowa State Bar Association shall encourage and educate its membership in providing limited legal representation to low and moderate income Iowans.

The Report of the Joint Task Force on Pro Se Litigation is available online at www.iowabar.org/main.nfs.