IOWA DISTRICT COURT, FIFTH JUDICIAL DISTRICT

IN RE: DESIGNATION OF TIMES FOR MAGISTRATES TO HOLD COURT IN JUDICIAL ELECTION DISTRICTS 5A AND 5B FOR 2016	ADMINISTRATIVE ORDER 2015-60

WHEREAS Iowa Code §602.6105(3)(a) provides the chief judge shall designate times and places for Magistrates to hold court to ensure accessibility of Magistrates at all times throughout the district. The designated places of holding court are set forth in Administrative Order No. 2015-61. The times for Magistrates to hold court shall be set forth in this Order.

THEREFORE, IT IS HEREBY ORDERED THAT:

1. The following schedule of times of availability of magistrates in the respective counties is ordered:

Adair County – Thursdays from 9:00 a.m. to 4:30 p.m.;

Adams County – Thursdays from 9:00 a.m. to 4:30 p.m.;

Clarke County – Tuesdays & Thursdays from 9:00 a.m. – 12:00 p.m. and
Every Other Wednesday from 9:00 a.m. – 4:30 p.m..;

Dallas County - Monday through Friday from 9:00 a.m. to 4:30 p.m.;

Decatur County – Wednesdays from 9:00 a.m. to 4:30 p.m.;

Guthrie County –Thursdays from 9:00 a.m. to 4:30 p.m.;

Jasper County – Wednesdays and Thursdays from 9:00 a.m. to 4:30 p.m.;

Lucas County – Tuesdays from 9:00 a.m. to 4:30 p.m.;

Madison County – Wednesdays from 9:00 a.m. to 4:30 p.m.;

Ringgold County – Wednesdays from 9:00 a.m. to 4:30 p.m.;

Taylor County – Thursdays from 9:00 a.m. to 4:30 p.m.;

Union County – Tuesdays from 9:00 a.m. to 4:30 p.m.; and

Wayne County – Thursdays from 9:00 a.m. to 4:30 p.m.

2. Magistrate Court shall be in session at these designated times, except legal holidays or as otherwise approved by the Chief Judge. Magistrates are expected to be present in the courthouse during these times to be accessible and available to the public, the Clerk of Court and law enforcement. On days the Magistrate Court is in session, Magistrates may take a reasonable lunch break over the noon hour but shall otherwise be accessible at the court facility to the Clerk of Court, peace officers, and the public. When Magistrate Court is in session,

Magistrates shall exclusively serve as judicial officers and shall not perform duties associated with their private practice, business or other occupation. Trials in Magistrate Court shall be continuous sessions and shall not be interrupted or continued due to the part-time nature of the Magistrate's appointment. In addition to the times scheduled above, Magistrates are on-call twenty four hours per day for search warrants, mental health commitments, and other emergency and business in their county.

3. In Judicial Election Districts 5A and 5B, Magistrates shall conduct initial appearances in their counties without unreasonable delay at the local courthouse or designated place of holding court as required by Iowa Code Sections 804.21 and 22 and Iowa Rules of Criminal Procedure 2.2 and 2.27. If a Magistrate will be unavailable for initial appearances, the Magistrate shall arrange for another Magistrate to cover initial appearances. Magistrates shall not appear for initial appearances by telephone and shall appear by video teleconference only as specifically approved by the Chief Judge.

4. Part-time Magistrates are not allowed vacation, quasi-judicial or compensatory time off. Before any absence from their assigned county due to illness, vacation or other time off, such Magistrate shall arrange with another Judicial Magistrate from their or another county to cover and attend to the Judicial Magistrate's designated responsibilities.

5. A copy of this order shall be disseminated by the Clerk of Court of each county in Judicial Election Districts 5A and 5B to each law enforcement agency in their county.

6. Judicial magistrates in Election District 5A and 5B may be assigned as needed by Court Administration for coverage in the Polk County Magistrate Court depending upon workload needs per the recommendation of the Iowa Supreme Court's Limited Jurisdiction Taskforce Final Report (December 15, 2008).

DATED this 13 day of October, 2015.

ARTHUR E. GAMBLE, CHIEF JUDGE
FIFTH JUDICIAL DISTRICT OF IOWA

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POLK COUNTY, IA.
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CLERK DISTRICT COURT

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