IN THE IOWA DISTRICT COURT FOR THE THIRD JUDICIAL DISTRICT

ADMINISTRATIVE ORDER NO. 2015-1223-18

COURTHOUSE CLOSURE POLICY (NON-WEATHER RELATED)

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County Board of Supervisors or their designee make the decision on what holidays will be celebrated and whether a county building will or will not be opened, delayed or closed. This decision may affect the ability of the parties, public, witnesses, victims and media to gain entrance into the courthouse. Also, the availability of county attorneys, court security, and jail transport staff can be affected if they are permitted under their county personnel policies to not be present or to leave.

The Third Judicial District is composed of 16 counties. Holidays selected by some counties may conflict with other counties and may also conflict with state-recognized holidays. Likewise, power outage, water main break, other emergency or official closure determinations may be necessary. Therefore, it is best for a delay or closure decision to be made on a county-by-county basis.

In the event of courthouse closure, holiday or otherwise, county courthouses will follow the particular county government cancellation policy. If a county courthouse or government office is closed due to holiday, emergency or as may be otherwise necessary, the judicial branch will also close and all court appearances, events or meetings scheduled after the effective date and time of the county decision will be canceled that day.

Conflicting County/State Holiday: No court cases should be scheduled for days a particular county has recognized as a holiday. Clerk of court staff shall obtain their particular county-recognized holidays as soon as possible. Clerk of court staff shall place "markers" in the various court calendars to place judicial officers on notice of county holiday courthouse closure. In addition, clerk of court staff shall notify District Court Administration, Chief Judge, their county presiding judge, district associate judge and magistrate of the conflicting holidays. District Court Administration staff and the Chief Judge shall determine if the State Court Administration-approved court calendar for court service days needs to be changed. It is anticipated county government will place signage on courthouse doors indicating a holiday closure.

For emergency and other non-weather related closures the following is applicable:

Individuals Scheduled For Court Appearance: Those cases which were scheduled for trial, hearing or appearance during the days court was canceled will be reset for a new date and time. If a proceeding is scheduled on a day that court is unexpectedly closed, a notice will be filed and emailed through the EDMS filing system or mailed to all parties involved in the case with the rescheduled court date and time. It is the goal to have notices rescheduling matters not reached owing to courthouse closures sent within days of the closure event.

Cases in progress: The presiding magistrate or judge may exercise their discretion by continuing the trial or the proceeding to a later date and time. A complete or partial suspension of court proceedings or delayed or abbreviated court proceedings due to the emergency weather conditions may be ordered. Presiding judges can consider the abbreviated staff or lack of staff that may be available as well as the safety of all involved. The county sheriff department shall be consulted or alerted that a court proceeding is continuing after a courthouse closure. The safety of court litigants and staff and the lack of normal services related to court security and facility maintenance are important factors to be considered when deciding whether hearings and trials in progress should be continued to future dates.

Delayed opening of courthouse: All individuals with business at the courthouse on the day of the delayed opening shall appear when the courthouse opens and report to the clerk of court's office for further directions.

Individuals scheduled for jury service: Those individuals scheduled for jury service shall call the phone number on their notice for case specific instructions.

Individuals are reminded that payments can be made as follows:

Online at www.iowacourts.gov or by mailing payment to the clerk of court.

Notice: The clerk of court's office, when notified of any impending decision to close or delay opening of the courthouse, will (1) update their voicemail messages to include the current status of court operations; (2) post on the courthouse door a notice in substantially the attached form explaining the current status of court operations; and (3) email D3-All and D3 All Attorneys a notice of the current status of court operations.

Criminal cases: If individuals fail to reset or appear for their rescheduled appearance, a warrant for arrest may be issued.

Civil cases: If individuals fail to reset or appear for their rescheduled appearance, the case may be dismissed (you will lose your case) or the relief requested by the other party may be granted.

A gubernatorial order closing state offices does not apply to the district or county court.

Judicial Branch employees are expected to report to work unless a closure announcement has been received for the court facility where they are assigned to work. Those employees who find it impossible to get to work should call their immediate supervisor and report their absence.

Applicable Judicial Branch Personnel Policies are: during the regular work hours in which court offices are closed to the public, employees may choose to utilize vacation time or work when the courthouse is closed to the public. If needed, alternate work locations will be coordinated and arranged by the Chief Judge, District Court Administrator, presiding judge, clerk of court and other affected county and state officials.

The District Court Administrator shall email a copy of this order to all employees of the Third Judicial District, DHS regional administrator and the State Court Administrator. Clerks of court shall notify the attorneys, law enforcement officials and county auditors in their respective counties.

Leesa McNeil
District Court Administrator

Duane E Hoffmeyer, Chief Judge
Third Judicial District

NEWS RELEASE

Clerk of Court
_____

District Court Administrator
(712) 279-6494

Date: _____
Subject: Courthouse Closure

For Immediate Release

Due to a County Board of Supervisor's determination, the courthouse will close as of _____ __.m. today, _____, 20 ____. Entrance to the county jail will be allowed for jail bonding services only. The courts will reopen on the next business day. Individuals who are scheduled to appear in court will have the opportunity to reset their case(s).

Individuals Scheduled For Court Appearance: Those cases which were scheduled for trial, hearing or appearance during the days the court was canceled will be reset for a new date and time. If a proceeding is scheduled on a day that the court is unexpectedly closed, a notice will be filed and emailed through the EDMS filing system or mailed to all parties involved in the case with the rescheduled court date and time.

Witnesses: The attorney or party who asked or subpoenaed you to appear is responsible for notifying you of the court closure and/or whether arrangements have been made for the case to continue. If the case is proceeding as scheduled, they need to advise you how to gain access to the courthouse. If you have not been contacted, you do not need to wait for further instructions. You may leave. You should contact the attorney or party who requested or subpoenaed you for further instructions.

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Online at: www.iowacourts.gov
By Mailing to Clerk of Court

IF INDIVIDUALS FAIL TO RESET OR RESOLVE THEIR CASES DURING THE PERIOD OUTLINED HEREIN, A WARRANT FOR ARREST MAY BE ISSUED.

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