

IN THE IOWA DISTRICT COURT, SIXTH JUDICIAL DISTRICT OF IOWA

IN RE:)	MISC. NO. _____
)	
REDUCTION OF OPERATING EXPENSES.)	SUPERVISORY
)	ORDER 2009-3

In a Supervisory Order issued by Marsha K. Ternus, Chief Justice of the Iowa Supreme Court, filed on February 2nd, 2009, it was ordered that Judicial Branch employees and Judicial Officers shall reduce all travel to a minimum; judge and reporter travel expenditures shall be reduced by 60 percent for the balance of fiscal year 2009, and Juvenile Court Services travel expenditures shall be reduced by 25 percent for the balance of fiscal year 2009. To attain these travel-reduction goals, the Chief Judges of the Judicial Districts were authorized to reduce the frequency of court-service days in each county, and certain other mandatory travel restrictions and scheduling restrictions were imposed by the Supreme Court.

THEREFORE, IT IS ORDERED AS FOLLOWS:

1. District Judge Rotation Schedule. The Revised District Court Judge Assignments for 2009 marked Exhibit A and attached hereto is adopted and shall be effective immediately.

2. Court-Service Days in Rural Counties: Effective immediately, court-service days in Benton, Iowa, Jones and Tama Counties are reduced to one day per week. The court-service day for Benton, Iowa and Tama Counties will be Thursday. The court-service day for Jones County will be on Friday, except any Friday which is a furlough day. In that event, the court-service day for Jones County for that week will be rescheduled to some other day of the week. The court-service days set aside for child support recovery cases in the rural counties will remain as scheduled until further order of court. The court schedulers may schedule hearings in non-child support recovery cases for days set aside for child support recovery before or after the time slot reserved for child support recovery cases but no hearing shall be set to commence after 3:30 p.m.

3. Limitations on Judge Travel: Judges shall only travel outside of their official domicile for court-service days, specially assigned cases, criminal trials involving speedy demand or an imminent one-year speedy trial deadline or Defendant in custody and juvenile cases. The Johnson County Drug Court is a specially assigned trial assignment, and, therefore, Judge Hoover-Grinde may travel to Johnson County once a week for Drug Court.

4. Criminal Cases: Except when venue is in a county with a judge whose official domicile is that county*, criminal cases in which speedy trial has been waived or in which the one-year speedy trial deadline is not imminent, shall be continued unless the Defendant is in custody.
5. Civil Cases: Except when venue in civil cases is in a county with a judge whose official domicile is that county*, the litigants will be offered the opportunity to move the trial to another county. Cases pending in Benton, Jones and Tama Counties will be tried in Linn County. Cases pending in Iowa County will be tried in Johnson County or Linn County, with the county to be selected by Court Administration based on judge and courtroom availability. Civil jury cases will be tried with a jury selected from the receiving county. If the parties do not agree to this change of venue, the trial will be continued for the balance of the fiscal year or until the current budgetary crisis subsides.
6. Juvenile Cases: Travel to maintain the one-judge/one-family concept and to conduct juvenile court hearings is exempt from travel reduction.
7. Limitation on JCO Travel: The travel restrictions imposed by Chief Juvenile Court Officer Candice L. Bennett are approved and shall be effective immediately.
8. Magistrate Court: There shall be no changes to the magistrate court schedule. However, when it is necessary to obtain an out-of-county magistrate due to a conflict of interest for all resident magistrates, a reasonable effort shall be made by Court Administration to assign the rural county magistrate who resides closest to the location of the court which needs an out-of-county magistrate.
9. No Duplicate Travel Claims: When a judge and a reporter are both required to travel to court in a county outside their official domicile, they shall ride together or, in the alternative, agree upon how the claim for mileage is to be allocated. No duplicate claims for mileage will be approved, but a judge and reporter who mutually agree to split the mileage claim may each claim one-half of the miles for the trip.
10. Outreach: No mileage will be paid for Outreach presentations.

* All Sixth Judicial District Judges have an official domicile in either Johnson or Linn County.

11. Telephone Hearings Encouraged: Hearings in cases which have been specially assigned outside of the assigned judge's official domicile shall be held by telephone if, in the judge's discretion, a telephone hearing is appropriate. In all other cases pending in a county without a judge whose official domicile is that county, telephone hearings are encouraged if, in the discretion of the judge assigned to that county, a telephone hearing is appropriate.

12. The goal of this Order is to save financial costs for the Judicial Branch. No judge or Judicial Branch employee shall take any action inconsistent with this stated goal.

This Order shall remain in effect until further order of court.

Dated: February 12, 2009.

**DAVID M. REMLEY, CHIEF JUDGE
SIXTH JUDICIAL DISTRICT OF IOWA**

Copy to: Marsha K. Ternus, Chief Justice
David L. Baker, Liaison Justice
David K. Boyd, State Court Administrator
Sixth Judicial District Judges
Sixth Judicial District Associate Judges
Sixth Judicial District Magistrates
Sixth Judicial District Court Reporters
Carroll R. Edmondson, District Court Administrator
Sixth Judicial District Clerks of Court
Candice L. Bennett, Chief Juvenile Court Officer

Clerks of Court to provide copies to:
County Sheriff
County Attorney
Board of Supervisors
County Bar Association Representative