

FILED

JAN 14 2019

CLERK SUPREME COURT

In the Supreme Court of Iowa

In the Matter of the Iowa) **Supervisory Order**
Business Specialty Court)

The Iowa Business Specialty Court has been a well-received component of the Iowa court system since its December 21, 2012 inception. To increase utilization of the business court and expand the benefits realized from its use, the supreme court is expanding the process for transferring cases into the business court. Currently, all parties to the litigation must submit a joint consent to have the case assigned to the business court docket. Beginning January 15, 2019, any party who wishes to have the case transferred to the business court may file a motion to transfer to be ruled upon by the chief judge of the judicial district where the case is filed.

The Memorandum of Operation governing business court processes is amended as provided with this order and sets forth the new process for assigning or transferring cases to the business court and includes several other minor changes. If fewer than all parties wish to have the case transferred to the business court, a motion must be filed in the district court where the case is filed. Parties who disagree with transfer of the case to the business court may file a resistance. If all parties to the case consent to assignment of the case to the business court, the existing Joint Consent for Case Assignment to the Iowa Business Specialty Court form may be submitted directly to the State Court Administrator instead of filing a motion to transfer with the clerk of court.

The qualifications for a case to be assigned or transferred to the business court remain the same: the party or parties must certify in the joint consent or motion to transfer that (1) the case involves claims(s) for compensatory damages

totaling \$200,000 or more or involves claim(s) seeking primarily injunctive or declaratory relief, and (2) the case satisfies one or more of the criteria set forth in section E of the Amended Memorandum of Operation provided with this order.

Once a motion to transfer is filed with the district court and all other parties are provided an opportunity to file resistances, the motion will be transmitted to the chief judge of the judicial district where the case is filed. The chief judge will consider the motion and any resistances with or without hearing and enter an order approving or denying transfer to the business court docket. If the case is transferred, the chief judge will notify the State Court Administrator for assignment of a business court judge to the case.

With this supervisory order, the Iowa Supreme Court replaces the December 21, 2012, "Memorandum of Operation" in its entirety with the "Amended Memorandum of Operation" provided with this Order, effective January 15, 2019.

Dated this 14th day of January, 2019.

The Supreme Court of Iowa

By Mark S. Cady
Mark S. Cady, Chief Justice