

In the Iowa Supreme Court

In the Matter of Adoption of)
Amendments to Chapters)
34, 36, 47, and 49 of the)
Iowa Court Rules)

CLERK SUPREME COURT

Order

The Iowa Supreme Court adopts amendments to chapters 34, 36, 47, and 49 of the Iowa Court Rules. The Iowa Supreme Court Office of Professional Regulation recommends the amendments, which are primarily technical in nature or clarify existing rule provisions.

The amendments are provided with this order and include the following:

- **Rule 34.13 Reports.** The amendment moves from February 1 to March 1 the date of annual consolidated reports of the Attorney Disciplinary Board and the Grievance Commission.
- **Rule 34.18 Death, suspension, or disbarment of practicing attorney.** The amendment assesses trustee fees and expenses to relinquished attorneys and requires payment of fees and expenses for readmission to the bar.
- **Rule 34.20 Suspension of attorney’s license for failure to comply with a child support order.** The amendment allows an assistant director of the office of professional regulation to issue notice, clarifies the attorney address to which the notice will be sent, clarifies that the attorney may challenge the Child Support Recovery Unit’s issuance of certificate of noncompliance instead of the supreme court’s action, and imposes a \$100 reinstatement fee consistent with other categories of suspensions.
- **Rule 34.21 Suspension of attorney’s license for failure to comply with an obligation owed to or collected by the Iowa College Student Aid Commission.** The amendment allows an assistant director of the office of professional regulation to issue notice, clarifies the attorney address to which the notice will be sent, clarifies that the attorney may challenge the College Student Aid Commission’s issuance of certificate of noncompliance instead of the supreme court’s action, and imposes a \$100 reinstatement fee consistent with other categories of suspensions.

- **Rule 34.22 Suspension of attorney’s license for failure to comply with an obligation owed to or collected by the Central Collection Unit of the Iowa Department of Revenue.** The amendment allows an assistant director of the office of professional regulation to issue notice, clarifies the attorney address to which the notice will be sent, clarifies that the attorney may challenge the Central Collection Unit’s issuance of certificate of noncompliance instead of the supreme court’s action, and imposes a \$100 reinstatement fee consistent with other categories of suspensions.
- **Rule 34.25 Procedure on application for reinstatement.** The amendment requires filing of certificates of noncompliance with the office of professional regulation rather than the supreme court, deletes the “immediate” reinstatement requirement, separates the reinstatement from suspension rules from the readmission from revocation rules, and clarifies that attorneys reinstate from suspension and readmit from revocation.
- **Rule 36.6 Filing and service of documents.** The amendment incorporates the electronic filing option.
- **Rule 36.10 Setting case for hearing; pretrial conference and scheduling order.** The amendment moves the hearing date from the time the answer is due instead of from service of the complaint.
- **Rule 47.6 Iowa roster of court interpreters.** The amendment deletes the three-year limitation to allow the office of professional regulation to waive the orientation program requirement to broaden the pool of potential interpreters.
- **Rule 49.1 Office of Professional Regulation of the Supreme Court of Iowa.** The amendment clarifies the responsibility for administration of the court interpreter examination program.
- **Rule 49.5 File retention and destruction.** This is a new rule of record retention for the office of professional regulation. The rule requires boards and commissions without an existing record retention rule to maintain records for a period of at least three years after the last board or commission action on the matter.

The amendments provided with this order are effective August 1, 2019.

Dated this 25th day of July 2019.

The Supreme Court of Iowa

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