

CHAPTER 23
TIME STANDARDS FOR CASE PROCESSING

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CHAPTER 23 TIME STANDARDS FOR CASE PROCESSING

Rule 23.1 Time standards—; considerations. ~~The time standards contained in this chapter are subject to statutes and rules affecting the same proceedings. establish case processing goals, not strict deadlines, to guide case scheduling and management. A case will not be dismissed for failure to reach a disposition within the time standards. If a time standard conflicts with a statute or court rule, that statute or court rule will govern.~~

Rule 23.2 Trial scheduling consistent with time standards. ~~The time standards commence from the time a case is filed except in indictable criminal cases where the time shall be measured from date the trial information or indictment is filed.~~

a. Case processing time. ~~Case processing time is measured in days from the date a case is filed to the date it reaches a disposition—including judgment, acquittal, dismissal, or sentencing— unless other measures are defined in rule 23.3.~~

b. Trial start. ~~Court administration will initially schedule cases to start trial as soon as possible given the nature of the case and the court’s calendar, but not less than 30 days prior to the standard for disposing of 98% of the cases for the specified case type.~~

c. Later trial start. ~~Upon motion of a party who establishes good cause for scheduling a later trial start date, a court may grant a trial start date that will not be more than 90 days beyond the standard for disposing 98% of the cases for that case type.~~

~~**23.2(1)** Court administration shall schedule cases to commence trial within the following time standards:~~

a. Indictable Criminal	6 months
b. Simple Misdemeanors	4 months
e. Expedited Civil Actions	12 months
d. Torts (all except “complex civil”)	18 months
e. Complex Civil	24 months
f. Other Law & Equity	12 months
g. Domestic Dissolution & Modification	9 months
h. Domestic Abuse	2 months
i. Domestic All Other	6 months
j. Small Claims & Infractions	4 months

~~**23.2(2)** If a party shows good cause for exceeding the trial time standards in rule 23.2(1), a court may order an extension of the time for trial to commence using the standards below as guidelines:~~

a. Indictable Criminal	12 months
b. Simple Misdemeanors	6 months
e. Expedited Civil Actions	15 months
d. Torts (all except “complex civil”)	24 months
e. Complex Civil	36 months
f. Other Law & Equity	18 months
g. Domestic Dissolution & Modification	15 months
h. Domestic Abuse	4 months
i. Domestic All Other	12 months

1 ~~j. Small Claims & Infractions~~ ~~8 months~~

2 ~~Rule 23.3 Estate time standards. Except for good cause shown, estates opened shall be closed~~
 3 ~~within the following time standards:~~

- 4 ~~a. Estates w/o admin. & small 100% in 6 months~~
 5 ~~b. Estates with full admin. 85% in 24 months~~
 6 ~~100% in 36 months~~

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 8 **Rule 23.3 Estate-Case Processing Time Standards.**
 9 **[New time standards]**

Case Types	% of cases to be disposed within the following time standards
1. Felonies Case processing time: days from filing of an indictment or trial information to disposition (judgment, acquittal, dismissal, or sentencing)	75% within 120 days 90% within 180 days 98% within 365 days
2. Indictable Misdemeanors Case processing time: days from filing of an indictment or trial information to disposition (judgment, acquittal, dismissal, or sentencing)	75% within 90 days 90% within 180 days 98% within 270 days
3. Simple Misdemeanors Case processing time: days from filing of a complaint to disposition (judgment, acquittal, dismissal, or sentencing)	75% within 60 days 90% within 90 days 98% within 180 days
4. Scheduled Traffic; Ordinance Violations	75% within 30 days 90% within 60 days 98% within 90 days
5. Post-Conviction Relief; Habeas Corpus	75% within 180 days 98% within 365 days
6. Expedited Civil Actions	90% within 270 days 98% within 365 days
7. Regular Civil	75% within 180 days 90% within 365 days 98% within 540 days
8. Complex Civil: Medical Malpractice; Professional Malpractice; Product Liability; Business Court; other cases declared complex	90% within 540 days 98% within 730 days
9. Domestic: Dissolution; Custody; Paternity; Support	75% within 120 days 90% within 180 days 98% within 365 days
10. Domestic Abuse Protection Orders	90% within 15 days 98% within 30 days
11. Probate: Estates without Administration	75% within 90 days 90% within 120 days 98% within 180 days
12. Probate: Estates with Administration	75% within 365 days

Case Types	% of cases to be disposed within the following time standards
	90% within 540 days 98% within 730 days
13. Guardianships; Conservatorships Case processing time: days from filing to appointment	98% within 90 days
14. Civil Commitments Case processing time: days from petition to decision on commitment	98% within 15 days
15. Small Claims; Infractions	75% within 60 days 90% within 90 days 98% within 180 days
16. Landlord-Tenant: Forcible Entry; Eviction	90% within 10 days 98% within 30 days
17. Juvenile: Delinquency, youth in detention Case processing time: days from petition to disposition	75% within 30 days 90% within 45 days 98% within 90 days
18. Juvenile: Delinquency, youth not in detention Case processing time: days from petition to disposition	75% within 60 days 90% within 90 days 98% within 150 days
19. Juvenile: Child in Need of Assistance; Family in Need of Assistance	Adjudicatory Hearing: 98% within 90 days of removal Permanency Hearing: 75% within 270 days of removal 98% within 360 days of removal
20. Juvenile: Termination of Parental Rights Case processing time: days from termination petition to disposition	90% within 120 days 98% within 180 days

Rule 23.4 Juvenile standards Measuring Performance.

23.4(1) Detention and shelter hearings:

~~a. From detention facility admission to hearing _____ 24 hours[†]~~

~~b. From admission to shelter care facility pursuant to Iowa Code section 232.21 court order to hearing _____ 48 hours[†]~~

23.4(2) Pre-adjudicatory hearings for physical and mental health examinations:

~~a. From court ordered admission to detention or shelter care facility to hearing _____ 15 days~~

~~b. From filing, if juvenile is not in detention or shelter care facility, to hearing _____ 30 days~~

23.4(3) Adjudicatory hearings:

~~a. From court ordered admission to detention or shelter care facility to hearing _____ 15 days~~

[†]Excluding Saturday, Sunday, and legal holidays

1 ~~b. From filing, if juvenile is not in detention or shelter care facility,~~
2 ~~to hearing~~ 30 days

3 ~~e. From entry of order for physical or mental examination to hearing~~ 45 days

4 ~~23.4(4) Dispositional hearings:~~

5 ~~a. From entry of adjudicatory order to hearing, if juvenile is:~~

6 ~~In a detention or shelter care facility~~ 30 days

7 ~~Not in a detention or shelter care facility~~ 40 days

8 ~~b. From court ordered placement for physical or mental examination,~~
9 ~~following a delinquency or CINA adjudication, to hearing~~ 60 days

10 ~~23.4(5) Termination of parental rights (Iowa Code chapter 232):~~

11 ~~a. From filing to hearing~~ 60 days

12 ~~b. From filing to disposition~~ 5 months

13 The State Court Administrator will develop statistical reports that measure each judicial district's
14 performance in meeting the time standards established in rule 23.3.

15 **Rule 23.5 Forms for implementing time standards.**

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