

In the Iowa Supreme Court

CLERK SUPREME COURT

Request for Public Comment)
on Proposed Rule for Supreme)
Court Clerk Retention of)
Appellate Records and Regarding) **Order**
Iowa Court Rules 22.37 and 22.38)
Concerning Purging of District)
Court Case Files)

The Iowa Supreme Court seeks public comment on a proposed new rule regarding the supreme court clerk's retention of appellate records. The state archivist has not been able to accept appellate court records for storage for a number of years. Currently, appellate court records are being stored throughout the Judicial Branch Building and space is running short. Employees have already scanned many of these records for storage on DVDs in the transition to electronic filing.

Proposed court rule 20.3 would provide that once the clerk of the supreme court has reproduced supreme court and court of appeals original records in a "reasonably permanent legible means," the clerk "may destroy the original records."

A related proposed rule change involves moving the court rules on purging district court civil and criminal case files, currently set forth as rules 22.37 and 22.38 from the chapter 22 rules on "judicial administration" into chapter 20 of the court rules, which is specific to "court records" of the judicial branch. Rules 22.37 and 22.38 would be renumbered to rules 20.4 and 20.5 accordingly.

Prior to further consideration of these proposed changes to the Iowa Court Rules, the supreme court seeks public comment on the proposals. Proposed new court rule 20.3 is provided with this order and may be found on the judicial branch website at: www.iowacourts.gov/About_the_Courts/Sup

reme_Court/Orders/. In addition, copies are available at the office of the Clerk of the Supreme Court, Judicial Branch Building, 1111 East Court Avenue, Des Moines, Iowa 50319.

Any interested organization, agency, or person may submit comments regarding the proposed rule changes. Comments should refer to the line number of the proposed rule 20.3 to which the comments are directed or to the proposal to move the case file purging rules from chapter 22 into chapter 20 of the Iowa Court Rules. Comments sent by email must be emailed to **rules.comments@iowacourts.gov**, must state **"Court Records"** in the subject line of the email, and must be sent **as an attachment to the email in Microsoft Word format**. Instead of submission by email, comments may be delivered in person or mailed to the Clerk of the Supreme Court, Judicial Branch Building, 1111 East Court Avenue, Des Moines, Iowa 50319.

Any comments received may be posted on the Iowa Judicial Branch website.

The deadline for submitting comments is 4:30 p.m. on September 18, 2017.

Dated this 20th day of July, 2017.

The Supreme Court of Iowa

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