

**In the Iowa Supreme Court**

CLERK SUPREME COURT

**In the Matter of the Carroll )  
County ODR Pilot Project and )  
Suspension of Certain Iowa )  
Court Rules Regarding )  
Installment Payment Plans )**

**Order**

---

The Iowa Judicial Branch is currently developing three online dispute resolution (ODR) pilot projects. An ODR pilot project for forcible entry and detainer (FED) cases is progressing in Story County. In Black Hawk County, an ODR pilot project for resolving small claims money judgment actions is in the formative stages. Finally, in Carroll County, an ODR pilot project involving traffic citations is nearing the testing phase.

ODR provides parties involved in court actions an option to resolve their legal matters through an online platform. Proven ODR benefits for parties include greater convenience, easier access to the courts, lower costs, and increased satisfaction with the court system. The online platforms will allow parties to negotiate directly with each other, engage with a mediator if direct negotiations are not successful, and possibly participate in a virtual court hearing if that functionality is activated.

Objectives of the pilot projects include encouraging use of the online platforms and identifying court system efficiencies to be gained. Participation in the pilot projects will be voluntary and will likely be driven by the ability of the platform to meet users' needs. The ultimate aim of the pilot projects is to design robust and effective ODR tools suitable for statewide implementation.

The design team for the Carroll County traffic citation project has concluded that certain requirements of Iowa court rules for installment payment plans will dampen adoption and use of the platform. Carroll County members of the design team include a magistrate, clerk of court, county attorney, and city

attorney. Other members of the team are from state court administration, judicial branch IT, the Iowa Department of Transportation, and the outside vendor for the project.

Iowa Court Rule 26.2(4) sets a threshold of more than \$300 of court debt before a judicial officer may order an installment payment plan. Rule 26.2(6)(b) requires monthly payments, and rule 26.2(6)(c) sets a \$50.00 minimum payment. Rule 26.2(12) also sets a \$50.00 minimum payment on combined nondelinquent installment payment plans. The Carroll County pilot project design team has requested that rule 26.2(4), rules 26.2(6)(b) and (c), and the minimum payment requirement in rule 26.2(12) be suspended for eligible traffic citation cases filed in Carroll County for the duration of the ODR pilot project.

The court orders that rule 26.2(4), rules 26.2(6)(b) and (c), and the minimum payment requirement in rule 26.2(12) are suspended for traffic citation cases filed in Carroll County during the ODR pilot project.

Dated this 26th day of May, 2020.

The Iowa Supreme Court

By 

Susan Christensen, Chief Justice

Copies to:

Iowa Supreme Court  
Iowa Court of Appeals  
Chief Judges  
Senior Judges  
District Court Judges  
District Associate Judges  
Judicial Magistrates  
District Court Administrators  
State Court Administrator  
The Iowa State Bar Association

Attorney General  
State Public Defender  
Iowa Department of Transportation  
Iowa Department of Public Safety  
Iowa Department of Natural Resources  
Polk County Bar Association  
Iowa Legal Aid  
Drake University Law School  
University of Iowa College of Law  
Creighton University School of Law