FILED
AUG 13 2020
CLERK SUPREME COURT

IN THE SUPREME COURT OF IOWA

In the Matter of	)	
Access to Justice	)	**Order**
in Counties Impacted by	)	
Natural Disaster	)	

On Monday, August 10, 2020, a catastrophic "derecho" windstorm swept through the state causing significant damage. Since then, Iowa attorneys and other Iowans in multiple counties do not have access to electrical power or internet. In some instances, transportation has been cut off. Using a computer to access the internet or even to prepare a paper filing is not possible at this time for many people. While power is being gradually restored, outages are expected to continue for days.

Twenty-three Iowa counties are declared state disaster areas: Benton, Boone, Cedar, Clarke, Clinton, Dallas, Greene, Grundy, Hardin, Iowa, Jackson, Jasper, Johnson, Jones, Linn, Marshall, Muscatine, Polk, Poweshiek, Scott, Story, Tama and Washington.

Iowa Court Rules (chapter 16) require attorneys and parties generally to use EDMS to electronically file their pleadings and other court submissions. Generally speaking, when an EDMS filing is not possible, the rules contemplate a paper filing. That alternative is not feasible in many instances because of the extent and duration of the outages. In addition to the storm damage, the outbreak of COVID-19 is still impacting the court system because the Supreme Court has encouraged judges, attorneys and parties to limit their in-person business in the Clerk of Court offices.

In order to allow attorneys and parties time to get power and internet restored, the Supreme Court exercises its constitutional and statutory legal authority to temporarily amend Iowa Court Rule 16.306(2) so as to provide that any filing by an attorney or party who has an office or residence in one of the 23 affected counties listed above shall be deemed to have been made on Monday, August 10, 2020, provided that the filing occurs no earlier than Monday, August 10, 2020 and no later than Tuesday, August 18, 2020. In other words, this order effectively extends the filing deadline to Tuesday, August 18, for filings otherwise due during the date range from August 10 to August 17, inclusive. In all other respects, the provisions of chapter 16 and other applicable Iowa law and rules shall continue to apply. Other deadlines triggered by such filings shall be calculated from August 18.

This order applies to any filing due from August 10 to 17 by an attorney or party who has an address for filing purposes in the affected counties, regardless of the location of the court, and covers appellate filings with the Clerk of the Supreme Court.

Attorneys and parties outside the affected counties who have been unable to meet filing deadlines because of outages related to the derecho are encouraged to seek relief on a case-by-case basis under the Iowa Code and rules.

Dated this 13th day of August, 2020.

THE IOWA SUPREME COURT

By _____
Susan Larson Christensen

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Iowa Court of Appeals
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Senior Judges
District Court Judges
District Associate Judges
Magistrates
State Court Administrator
District Court Administrators
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Chief Juvenile Court Officers
The Iowa State Bar Association
Polk County Bar Association
The Iowa State Association of Counties
The Iowa State Sheriffs' and Deputies' Association
Iowa Attorney General
Iowa State Public Defender
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