

## In the Iowa Supreme Court

CLERK SUPREME COURT

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<b>In the Matter of Adopting</b>	)	
<b>Chapter 2 Criminal Case</b>	)	<b>Order</b>
<b>Expungement Rules</b>	)	

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The Iowa Supreme Court adopts new rules and forms concerning criminal case expungements that will be added to the Iowa Rules of Criminal Procedure, chapter 2 of the Iowa Court Rules.

During the 2019 session of the Iowa General Assembly, the legislature passed, and the Governor signed, a bill (SF 589) that created new Iowa Code section 901C.3, which provides an expungement process for certain misdemeanors. By Administrative Directive in August 2019, the State Court Administrator established the Expungement Advisory Committee to provide recommendations to the judicial branch regarding the proper implementation of Senate File 589. The advisory committee prepared a report of recommendations for the State Court Administrator's consideration and subsequently formed a workgroup to develop proposed rules and forms to implement the section 901C.3 expungement process.

While developing the rules and forms, the workgroup expanded the project to include criminal case expungements pursuant to Iowa Code sections 901C.2, dismissed cases and acquittals; 123.46, public intoxication cases; 123.47, possession of alcohol under the legal age cases; and 725.1, certain prostitution cases. The court invited public comment on its proposed rules and forms on August 26, 2020. The public comment period closed October 26, 2020, with the court having received valuable public comments.

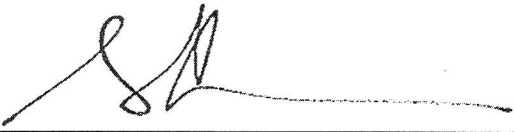
The expungement rules accompanying this order set forth the application process for each type of expungement, describe the effects of an expungement, and provide for the tracking of completed Iowa Code

section 901C.3 expungements for internal judicial branch use. Forms have also been developed for each type of expungement application.

These additions to the Iowa Rules of Criminal Procedure, chapter 2 of the Iowa Court Rules, become effective for expungement applications filed on or after July 1, 2021, subject to Legislative Council review as provided by Iowa Code section 602.4202.

Dated this 29th day of January, 2021.

**The Iowa Supreme Court**

By:   
Susan Larson Christensen, Chief Justice

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