

IOWA JUDICIAL BRANCH 2021 ANNUAL REPORT





When Life
Gives You
Lemons, Make
Lemonade



Adapting in Unprecedented Times

During this past year we were able to visit courthouses in each of the eight judicial districts and meet in person with our great staff and judges. Our people are accomplishing things now that were unimaginable less than a decade ago. With our statewide electronic filing and storage of court documents, clerks can now easily share responsibilities across county lines, an efficiency that was physically impossible with paper files. We now have technology in courtrooms for people to appear remotely by videoconference and for exhibits to be displayed on large video screens instead of passing them hand-to-hand between jurors.

Many of these changes are the result of safety precautions put in place to protect the public and our staff from COVID-19 exposure. We hoped we would be done worrying about a terrible pandemic by now but, unfortunately, it continues. The past year was not as challenging as 2020, but a dark COVID shadow remained over our heads, and we continued to chip away at a backlog of cases that grew when we were forced to postpone jury trials.

Through it all, our staff and judges persevered and found ingenious new ways to approach old procedures. Now, we must reflect on all that we learned and incorporate some of those things into how we do business moving forward. As they say, "When life gives you lemons, make lemonade."

In this year's annual report you will read about many of the innovations that began or expanded in 2021. Not all of the new programs were in response to COVID-19. Many initiatives were in the planning stages before the pandemic reached Iowa but were delayed until this year because of our laser focus on protecting court users from the virus.

Some of the changes are not obvious to the public. Several of the changes involve how the courts handle the day-to-day business of processing cases due to the many pandemic related court rules, practices, and procedures implemented from March 2020 to the present.

In May 2021, the Iowa Supreme Court established the "Lessons Learned" Task Force to recommend whether those changes should be retained, modified, or stopped. Before making those

recommendations, a request was made for public comment. In response, the task force received nearly 80 pages of comments from court users, judicial branch personnel, and members of the public. You can find the comments [here](#). With the gathered information, the task force submitted its recommendations to the supreme court. You can find the final report [here](#).

After careful review of the task force's recommendations, the public comments, and the current status of the pandemic, the supreme court determined that many of the practices should be retained. You can find the final order [here](#) and a summary in this annual report. This was a unique opportunity to explore adoption of lasting innovations to court rules, policies, and practices and improve access to the Iowa court system.

Our courthouse visits confirmed that we had the right people in place to handle the many challenges of the past two years. We learned that those same people now have the necessary tools and knowledge to meet other challenges that may arise in the future. It is truly an inspiration to see our people implementing new approaches that improve our service to the public and increase our efficiencies.



Susan Larson Christensen

Chief Justice

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Robert Gast

State Court Administrator

A handwritten signature in black ink, appearing to be 'Robert Gast'.

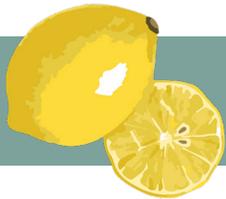
Lessons Learned Task Force

On April 28, 2021, the supreme court established the Lessons Learned Task Force. The task force was charged with reviewing the formal orders and informal practices the judicial branch adopted in response to the COVID-19 pandemic and make recommendations to the supreme court on the rules, policies, and practices that should be retained, modified, or stopped.

Task force members included judges, magistrates, county attorneys, criminal defense attorneys, family law attorneys, corporate attorneys, court administrators, court reporters, and clerks of court. All meetings were conducted remotely.

The task force submitted its recommendations on more than 30 rules, policies, and practices to the supreme court. The supreme court considered public comment on those recommendations.

After careful review of the recommendations, public comments in response to those recommendations, and the status of the pandemic, the supreme court entered an order adopting many of the task force recommendations. The supreme court's order replaced all other COVID-19 related supervisory orders and remains in effect until the court otherwise orders.



LESSONS LEARNED TASK FORCE MEMBERS

Honorable Susan Christensen, Chief Justice, Iowa Supreme Court, Harlan, Chair

Honorable Thomas N. Bower, Chief Judge, Iowa Court of Appeals, Cedar Falls

Honorable Kellyann Lekar, Chief Judge, First Judicial District, Waterloo

Honorable David Porter, District Judge, Des Moines

Honorable Russell Keast, District Associate Judge, Cedar Rapids

Steve Bradford, corporate counsel, Muscatine

Carrington Buze, Children's Justice, Des Moines

Guy Cook, private practice attorney, Des Moines

Diane Crookham-Johnson, Magistrate, Oskaloosa

Connie Diekema, private practice attorney, Des Moines

Kathy Gaylord, District Court Administrator, Davenport

John Goerdt, Interim State Court Administrator, Des Moines

Katie Graham, private practice attorney, Des Moines

Donna Humpal, Clerk of the Appellate Court, Des Moines

Laura Kyndesen, Clerk of Court for Pottawatomie County, Council Bluffs

Tom Kunstle, Sioux County Attorney, Orange City

Amy Lampman, court reporter, Nevada

Jerry Schnurr, private practice attorney, Fort Dodge

Brooke Timmer, private practice attorney, Des Moines

Stacey Warren, private practice attorney, Des Moines

Jeff Wright, State Public Defender, Des Moines

Adopted Recommendations

A few of the rules, policies, and practices adopted by the Iowa Supreme Court.

Civil Remote Procedure. Civil court proceedings other than trials may continue to be conducted remotely. This allows for greater access to the courts as parties may appear remotely for routine court proceedings, no longer necessitating things like taking time off of work, finding child care, securing transportation, etc. This also save judicial resources and allows for attorneys to more easily appear in rural counties which may otherwise be experiencing a shortage in attorneys.

Criminal Sentencing. Participants in criminal sentencings may appear remotely. This facilitates speedy justice for all. It removes delays in sentencing, balances the needs of victims and witnesses who will testify at these proceedings, and reduces the likelihood of crowded courtrooms.

Sentencing for certain class "D" felonies and misdemeanors may occur without a sentencing hearing. This expedited sentencing process is allowed when all the parties and the court agree on the applicable sentence and no testimony will be presented. With potentially back loaded court dockets, allowing these sentencings to proceed without a hearing in situations where all agree on the sentence to be imposed helps keep cases moving forward and provides certainty and closure for all involved.

Juvenile Proceedings. Juvenile courts may conduct certain proceedings remotely. Juvenile cases will continue to move forward without being delayed due to pandemic-related concerns. Keeping these cases moving forward in an expedited manner is of great importance. It helps children receive more timely permanency and helps parents continue to move towards reunification without unnecessary delay.

Children in the Middle Classes. Parents are typically required to take certain courses as a part of cases involving child custody and visitation. In some rural counties, these courses could be difficult to find before the pandemic, and the pandemic has only made the problem worse. Allowing parents to continue to take these required courses online provides greater access for parents.

RURAL COURTS INITIATIVE



St. Donatus
Jackson County
Photo courtesy of Phil Roeder

How 4 New District Associate Judge Positions will Serve Iowans

Dallas, Johnson, Pottawattamie, and Scott counties add new district associate judges.



A district associate judge has the authority to hear class "D" felony cases, misdemeanor cases, certain civil suits, juvenile cases, county and municipal infractions, and small claims cases. A district associate judge may also conduct preliminary hearings, preside in involuntary hospitalization matters, and issue search warrants.

According to workload formulas the National Center for State Courts developed, Iowans need 10 additional district judge positions and 20 additional district associate judge positions to manage the current judicial branch workload.

Last year, the governor and legislature appropriated funding for four new district associate judge positions. The appropriation was an important first step towards addressing the longstanding judge shortage in Iowa. The new district associate judge positions have been established in the four counties with the greatest need in judgeships.

Iowa's district courts handle hundreds of thousands of cases each year and Iowans depend on judges and judicial branch employees to resolve their disputes and provide justice. These judges and employees are members of Iowa communities, and the education, experience, and abilities of these individuals are the most valuable assets of the judicial branch.

When appropriating funding to create the four new district associate judge positions, the legislature recognized that each new judge must have the resources needed to be effective and move cases forward. Judges are part of a team and they need the critically important support provided by court reporters, judicial specialists, and law clerks. In recognition of this need, the legislature appropriated sufficient funding for 10 additional support positions for the four new district associate judge positions.

Evidence-Based Practices Set New Adult Criminal Drug Court Standards

New standards for adult criminal drug courts are a key piece of a multi-year plan for ongoing training and specialized technical assistance to ensure that Iowa's drug courts can achieve maximum effectiveness in addressing the root causes of many crimes and other individual and societal problems.

This year, the Iowa Supreme Court adopted formal standards for adult criminal drug courts to help ensure that participants in drug courts are receiving evidence-based best practices to help them overcome addictions as they begin to transition back into being contributing members of their communities.

The judicial branch is committed to ensuring that Iowa's adult criminal drug court participants are treated fairly, justly, promptly, and according to their individual needs to reach the best possible outcome for the participant, program, and community. The adult criminal drug court standards are an important tool to ensure that this commitment is achieved and maintained in every drug court.

Drug courts are an example of the strong partnership between the courts and Iowa's communities. The courts bring together a judge, substance abuse treatment professionals, mental health professionals, attorneys, and private agency providers to address the underlying problems that have contributed to an individual's contact with the justice system. Drug courts require regular treatment team meetings with the individuals to empower them to break free from the grip of substance abuse.

District Associate Judge Kirk Daily, Ottumwa, with the Eighth Judicial District, has 14 years experience as a drug court judge and is a member of the Iowa Adult Criminal Drug Court Advisory Committee that developed the standards.



Judge Kirk Daily

"While on the Advisory Committee I learned that the various drug courts in the state have been operating in different ways on some issues and alike in others," Judge Daily said. "They do not all have the same resources, and this impacts their ability to be as effective as they could be with their participants. Having standards for the drug courts will help the judges, who are not treatment professionals, have a better understanding of who ought to be in drug court. It will help them in how they interact with the participants in drug court and see that their role is much different than their normal role in the court system."

Iowa's adult criminal drug courts and other problem-solving courts were developed over several decades, primarily as the result of grassroots efforts to address problems in local communities. Drug courts and other closely related types of problem-solving courts (such as those focused on alcohol-related offenses like drunk driving) have operated with an uneven level of coordination, training, and support.

"The standards will help the treatment team understand how their responses to participants need to be equitable in fact and perception," Judge Daily said. "It will also result in more uniform and standardized processes being utilized in drug courts across the state resulting in a more fair distribution of the opportunity to participate in drug court across socio-economic lines and a more diverse clientele."



Rural Courts Strengthened

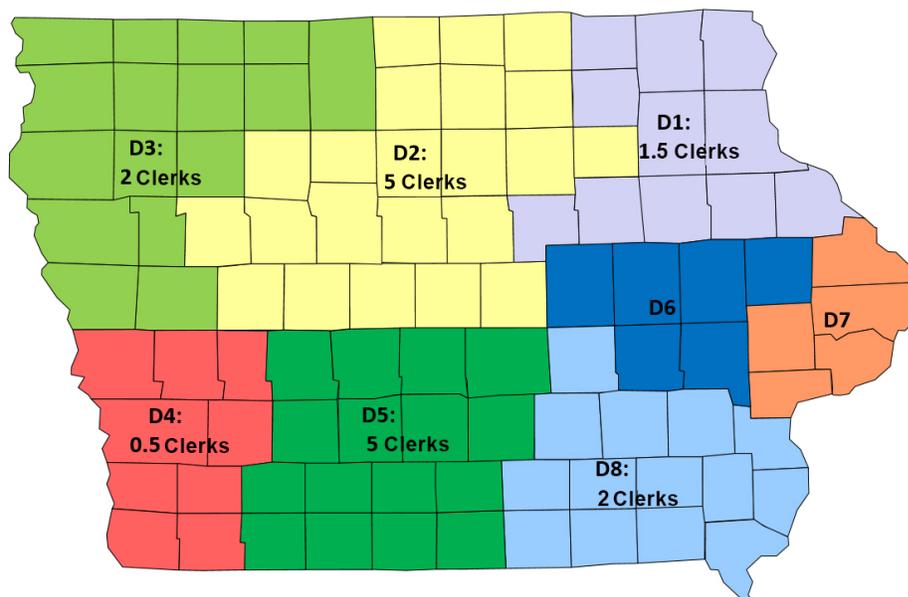
Rural courts now have a sufficient number of staff to provide a full complement of services on a full-time basis. Meeting minimum staffing needs helps ensure that court business is transacted in a safe and secure environment.

Thanks to the legislature's appropriation there are now 16 new employee positions in rural courthouses. With the funding, a minimum of 2.5 clerk positions was achieved in almost every clerk of court office across the state. The judicial branch requested funding as part of the rural courts initiative, which also includes the distributive work processing initiative that is improving workload management and more effectively utilizing resources.

The need for additional positions was based on the number of Iowa courthouses with fewer than 2.5 employee positions. To offer a full complement of court services five days per week, each courthouse needs no fewer than 2.5 positions. In some instances, part-time positions were created, but in many instances, a new full-time position splits time between two neighboring counties to bring each county up to the minimum staffing level of 2.5 positions.

The Iowa Judicial Branch has been and remains dedicated to strengthening ties with rural communities. The funding of the rural courts initiative represents a significant and critically important investment in Iowa's rural courts. This investment is vital to the judicial branch's effort to provide Iowans high quality, consistent, and convenient services in all 99 counties.

Allocation of 16 Rural Courts Initiative Clerks to Judicial Districts





New Statewide Payment Call Center Streamlines Process

The centralized payment call center provides a quick and easy way for Iowans to pay a fine or fee. The call center averages 250 calls per day, and its peak was over 400 calls per day.

Anyone can pay a court fine or fee using the Iowa Judicial Branch website, but some people prefer to use the phone to talk to a person. The judicial branch now offers a centralized payment call center for those people. Johnson County Clerk of Court Kim Montover helped with the development of the call center.



Kim Montover

“Besides the convenience of a single phone number to call and less waiting, the people receiving the calls are members of clerk’s offices from across the state who have voluntarily dedicated their time to serve in this important role,” Montover said. “The call center team is trained and skilled

in providing a courteous and customer focused experience.”

The idea for a court debt payment call center emerged from a separate pilot project focused on distributing workload to bring greater balance among counties within judicial districts. Receiving payment calls is an essential function for court staff, but it can be disruptive for staff who are focused on processing cases and interacting with members of the public in a courthouse.

In 2021, a permanent payment call center was created as a centralized functional unit comprising employees from numerous different courthouses or approved remote work locations. Establishing a team of court personnel dedicated to processing payment calls allows clerks of court and court staff to perform casework more efficiently and help people who visit a courthouse, while other staff members focus on taking telephone calls from people seeking to make a payment.

“I marveled at how much the call center team members enjoy working with people,” Montover said. “It is evident with every customer interaction that they do their absolute best to assist each caller efficiently and with courteous resolve. It is inspiring.”

After the creation of the payment call center, the Iowa Legislature appropriated funding for the rural courts initiative, which provided the judicial branch with additional resources to increase court staff levels in the most lightly populated rural counties to ensure that courthouses have enough staff members to keep court offices open for the public every workday.

Since the new personnel funded under the rural courts initiative have been assigned to counties with the lowest amount of case filings, the judicial branch is considering rural courts initiative positions as one factor in determining the number of hours each judicial district must contribute to staff the permanent payment call center.





Districts Improve Workload Sharing to Better Serve Iowans

Distributive work processing provides faster and more convenient services to Iowans. There is more equity in the distribution of work and an increased capacity to address workload fluctuations.

Historically, the district court for each Iowa county was staffed with court employees who performed necessary functions only within their own courthouse. Duties such as docketing case events, conducting financial transactions, jury management, serving as court attendants, and many other essential functions were performed by courthouse staff solely for their own county.

This staffing model was necessary with a paper-based court system. As Iowa courts moved to electronic dockets and then electronic filing and a nearly paperless court system, a new door of opportunity for alternative staffing models opened.

As part of the Iowa Judicial Branch rural courts initiative, in 2020 the First Judicial District in northeast Iowa and the Fourth Judicial District in southwest Iowa were selected to pilot a program that would move key responsibilities from county-specific operations to district-wide operations. Distributive work processing helped the pilot districts continue to provide quality services during the pandemic by allowing work to be done even if an office had multiple absences due to COVID-19.

Laura Kyndesen, district court administrator for the Fourth Judicial District, oversaw the pilot in her district.



Laura Kyndesen

"I have seen how the district-wide approach better serves the public by allowing patrons to contact or access a court office in any county within the district to find answers or direction," Kyndesen said. "For example, if a Mills County resident has questions about

a Fremont County case, he or she can call or visit the Mills County Clerk of Court office and receive a fair amount of answers. The goal is that access and assistance will be readily available to the customer right then and there."

District teams were formed to perform specific functions for the entire district and experts were identified in specific areas to create uniform policies and practices and to mentor other clerks in the district.

"The clerk staff in Harrison County were still learning some clerk processes and were needing guidance," Kyndesen said. "I matched up Pottawattamie staff experts with Harrison staff needs so that Harrison had resources by phone and instant messaging. In addition to that, some Pottawattamie staff learned Harrison processes to be able to assist—either in person or remotely—with case filings, pro se parties, court attending, or phone calls."

Many of the distributive work processing activities will be expanded and new work processing activities will be launched in the coming years. Many of these activities will take place behind the scenes, but these efforts contribute to the judicial branch's ongoing efforts to ensure that public resources are used as efficiently as possible to provide the highest quality court services in the nation.



PROTECTING IOWA'S YOUTH



“Seven Judges, Four Questions” Expands to More Than 30 Judges Statewide

34 of the 63 judges who serve on Iowa’s juvenile bench are asking child welfare workers four questions aimed at reducing the number of children unnecessarily removed from their families. Of those judges, 97 percent found the answers helpful in making decisions about removals, and 83 percent found Department of Human Services to be more prepared when requesting removals.

What started last year as a pilot project with seven judges has grown into a common court procedure. Judges on the juvenile bench ask these four questions before ruling on any request for a child removal order:

1. What can we do to remove the danger instead of the child?
2. Can someone the child or family knows move into the home to remove the danger?
3. Can the caregiver and the child go live with a relative or fictive kin*?
4. Could the child move temporarily to live with a relative or fictive kin*?

* Fictive kin are defined as persons who are treated like a relative and have an emotionally significant relationship with the child but who are not related by blood or marriage.

Only after discussing the four questions were the requests for removal orders approved or denied.



Judge Jennifer Benson Bahr

Judge Jennifer Benson Bahr, a district associate judge assigned to handle juvenile cases in Audubon, Cass, Harrison, Montgomery, and Page counties, is one of the judges who began asking the four questions. She observed the positive changes that Judge Scott Strait, one of the original seven judges and a district associate judge in

neighboring Pottawattamie County, experienced in his court by asking the four questions.

“The benefits to keeping children in their own homes is uncontroverted,” Judge Bahr said. “The four questions prompt deeper and more thoughtful consideration of removal that, frankly, was not done in the past. I have seen a decreased number of children removed from their homes directly related to asking the four questions. I have also seen many successful fictive kin placements that would not have been considered before. These children have been much more successful than they would have if they had been placed in foster care. Fictive kin placements, in particular, allow children to be in an environment they already feel comfortable in, which is far less damaging emotionally than placement with strangers.”

There have also been trainings on the four questions for multi-disciplinary audiences, and judges are encouraging other judges on the juvenile bench to begin asking the questions.

“I have shared my experiences and success stories with the other judges in the Fourth District who handle juvenile court, as well as at a district-wide training for juvenile court attorneys and social workers,” Judge Bahr said. “I have also encouraged attorneys in juvenile court to ask the four questions at each hearing where a child remains out of the home and have worked with attorneys and social workers in each of my five counties to implement and embrace the philosophy.”

Kathy Thompson, Executive Director of Iowa Children’s Justice, said some judges are also asking at each hearing when a child has been removed, what will it take for the child to be returned home or why can’t this child go home today?



Kathy Thompson

“These questions seem to help those involved stay focused on the goal of reunification at the earliest possible moment,” Thompson said.



Juvenile Court Officers Implement Family First Training

Juvenile Court Officer training allows the judicial branch to leverage new funding opportunities, assess the needs of our communities, and to expand effective community based services that prevent the need for placement of juveniles outside of the home.

Iowa is considered a national leader in its approach to implementing the federal Family First Prevention Services Act. The act, which is commonly referred to as "Family First" or "FFPSA," was signed into law on February 9, 2018. To prepare Iowa for implementation, the supreme court created a Judicial Branch Family First Prevention Services Act Task Force. The task force report, released this year, recommended continued collaboration with the Department of Human Services to provide the necessary support and training to attorneys, judges, county attorneys, juvenile court officers (JCOs), and court staff on issues related to implementation of and adherence to Family First. Iowa's Family First Plan was finalized by both local and federal officials.

Family First reshapes federal child welfare funding policy to promote early intervention for children and families in crisis and to allow children to remain with their families while receiving the services and support necessary for their safety and well-being. States with an approved plan can utilize federal resources, which have historically been available for foster care-related costs, to now fund a range of services to prevent out-of-home placements for candidates for foster care.

In 2021, Juvenile Court Services (JCS) concluded a major training initiative to ensure all JCS staff have the knowledge and skills required to successfully incorporate Family First policies into daily practices. JCS trained nearly all of its JCOs in a ten-step training program.

A significant part of the training is learning the new screening, safety, and assessment tools JCOs are required to use when meeting with a juvenile. The Candidate for Foster Care Screening Tool (CFST), for example, was developed by JCS to identify the presence of multiple risk factors that are associated

with an increased prevalence of out-of-home placements. The screening tool utilizes a threshold score to identify those youth who are at serious risk of out-of-home placement.



Christopher Wyatt

"We have been using the Iowa Delinquency Assessment (IDA) to screen juveniles for quite some time," Sixth Judicial District Chief Juvenile Court Officer and task force member Christopher Wyatt said. "The IDA assesses a youth's risk to commit further delinquent acts and also identifies the strengths

and areas of need for the child. With the use of the Safety Assessment and Candidacy tool, JCOs begin assessing youth earlier than before. It allows for conversations and documentation regarding types of interventions and programming that the JCO, child, and family agree would be helpful in their success and preventing placement outside of the home. These both have enhanced the ability of JCOs to accurately identify and target those youth at greatest risk for out-of-home placement and in most need of prevention services."

The task force recommended continued training of judges and attorneys and continued collaboration with the Department of Human Services to provide the necessary support and training to attorneys, judges, county attorneys, JCOs, and court staff on issues related to implementation of and adherence to Family First.



Juvenile Justice Task Force

The Juvenile Justice Task Force will review Iowa’s juvenile justice system to recommend ways to improve services, governance, and data collection and recommend options to address the system’s racial and gender disparities.

Chief Justice Susan Christensen and Director of Juvenile Court Services Chad Jensen will co-chair a 64-member Juvenile Justice Task Force for a “holistic review” of the juvenile justice system. The task force will review the continuum of care in Iowa’s juvenile justice system and make recommendations to improve its services, governance, and data collection. Recommendations will also include options to address the system’s racial and gender disparities.

Unlike most states, Iowa’s juvenile justice system is decentralized with its governance, services, funding, and data collection divided among four state entities: the Iowa Judicial Branch, Iowa Department of Human Services, Iowa Department of Public Health, and Iowa Department of Human Rights. In the past few years, stakeholders implemented various programs intended to improve the juvenile justice system from their perspective. While well intentioned, those individualized improvements oftentimes have repercussions throughout the system.

Task force members include service providers, law enforcement, legislators, county attorneys, public defenders, attorneys, youth and family members, law schools, and representatives of the four state entities mentioned above.

Task force members:

- Christensen, Honorable Susan, Chief Justice; Co-Chair of Task Force
- Jensen, Chad, Director of Juvenile Court Services; Co-Chair of Task Force
- Abbott, Andrew, Attorney, Waterloo
- Allen, Andrew, Juvenile Justice Advisory Council, Ames
- Andrews, Betty, NAACP, Des Moines
- Blomme, Emily, Foundation 2 Shelter, Cedar Rapids
- Campbell, Terrance, Chief Juvenile Court Officer, Waterloo
- Cole, Chris, Chief of Police, Storm Lake Police Department, Storm Lake
- Cournoyer, Chris, State Senator, Le Claire
- Dinsdale, Wendi, Juvenile Court Officer, Webster City
- Espinoza, Adriana, Orange City

- Faircloth, Shirley, Chief Juvenile Court Officer, Marshalltown
- Fitzgerald, Lynn, Juvenile Court Officer, Davenport
- Forker-Parry, Honorable Stephanie, District Associate Judge, Sioux City
- Garcia, Kelly or designee, Director, Department of Human Services and Department of Public Health, Des Moines
- Garcia, Patrick, Boy’s Town, NE
- Girres, Chris, Juvenile Court Officer, Council Bluffs
- Hawkins, John, Chief Juvenile Court Officer, Des Moines
- Hernandez, Stephanie, Family Resources, Davenport
- Hobart, Scott, Chief Juvenile Court Officer, Davenport
- Howe, Erik, Assistant Polk County Attorney, Des Moines
- Hutchings, Brent, Woodward Academy, Woodward
- Johnson, Kyle, Juvenile Court Officer, Des Moines
- Larson, Dan, Polk County Detention, Des Moines
- Lebo, Ann or designee, Director, Department of Education Des Moines
- Lindner, Leslie, Juvenile Court Officer, Keokuk
- Loeb, Ben, Juvenile Court Officer, Independence
- Long, Natasha, Burlington
- Mailander, Karen, Attorney, Anita
- Martens, Mike, Emmett County Sheriff, Estherville
- McGarvey, Cory, Cedar Rapids Police Department, Cedar Rapids
- McGlynn, Honorable James, Senior Judge, Webster City
- Michael, Steve, Department of Human Rights, Des Moines
- Minot, Honorable Deborah, District Associate Judge, Iowa City
- Mohr, Gary, State Representative, Bettendorf
- Nicol, Honorable Linnea, District Associate Judge, West Union
- Niles, Gary, Chief Juvenile Court Officer, Sioux City
- Ohman, Matt, SHIP, Sioux City
- Oliver, Kristie, Coalition for Family and Children’s Services, Des Moines
- Ordaz Landeros, Omar, Des Moines
- Owens, Honorable William, District Associate Judge, Ottumwa
- Pattison, Honorable Brent, District Associate Judge, Des Moines
- Ragan, Amanda, State Senator, Mason City
- Reed, Tony, Central Iowa Detention, Eldora
- Rempe, Michael, Chief Juvenile Court Officer, West Burlington
- Ross, Timothy, Chief Juvenile Court Officer, Council Bluffs
- Schinstock, Secalee, Juvenile Court Officer, Cedar Rapids
- Schmiedt, David, Juvenile Court Officer, Sioux City
- Schott, Dawn, Linn County Detention, Cedar Rapids
- Schumacher, Honorable Julie, Iowa Court of Appeals, Schleswig
- Scorza, Kim, Crittenton Center, Sioux City
- Scott, Deanna, Midwest Christian Services, Peterson
- Sikorski, Paul, Chief of Police Davenport Police Department, Davenport
- Skinner, Doctor Beth or designee, Department of Corrections, Des Moines
- Strait, Honorable Scott, District Associate Judge, Council Bluffs
- Tabor, Honorable Mary, Iowa Court of Appeals, Des Moines
- Thompson, Kathy, Iowa Children’s Justice, Des Moines
- Traum, Honorable Cheryl, District Associate Judge, Davenport
- Tupper, Michael or designee, Chief of Police, Marshalltown Police Department, Marshalltown
- Vander Ploeg, Joshua, Assistant Dubuque County Attorney, Dubuque
- Weber, Ryan, Woodbury County Detention, Sioux City
- Wessel-Kroeschell, Beth, State Representative, Ames
- Wright, Jeff or designee, State Public Defender, Des Moines
- Wyatt, Christopher, Chief Juvenile Court Officer, Cedar Rapids



Statewide Mediation Aims to Provide Better Outcomes for Iowa's Families

Statewide family law mediation will bring resolution to divorce and child custody cases more quickly, at lower expense, and with less stress for the people who are involved in the case.

Under a supreme court order that took effect in early 2021, most family law cases will include a mediation component aimed at bringing more efficient and less costly resolution for people involved in what can often be difficult family matters. Family law mediation focuses on identifying areas of agreement, narrowing the scope of disputes, and ensuring that the focus of the parties is on the relevant issues.

The family law mediation requirement is a recommendation from the Jumpstart Family Law Trial Task Force, which was created in 2020 to develop temporary policies and procedures for family law trials resuming after COVID-19 related postponements. The supreme court directed each judicial district to establish or continue procedures for mandatory mediation or mandatory judicial settlement conferences in family law cases where at least one party is represented by an attorney.

Parties, and in most cases their attorneys, meet with a mediator at least one time to help clarify issues, discuss options, and reach agreements tailored to the family's particular interests. Upon completion of mediation, a party or attorney must file a form with the district court indicating whether the mediation resulted in complete settlement, partial settlement, or no settlement.

The supreme court approved a waiver for the Seventh Judicial District in east-central Iowa to continue a local requirement for a judge-led settlement conference program prior to trial instead of mediation. A judge-led settlement conference is an opportunity for the parties in a family law case to discuss issues with a judge. The settlement conference judge will allow parties to present their side on disagreements and advise the parties of the

law and what a court must consider in rendering a decision at trial. A judge who acts as a settlement conference judge will not preside over a trial if one is still needed after the settlement conference. As is the case when mediation is completed, after completion of a judge-led settlement conference a form must be filed indicating whether the conference resulted in complete settlement, partial settlement, or no settlement.

When the family law mediation requirement took effect, the Iowa Judicial Branch updated its website to include family law mediation resources and forms for each of the state's eight judicial districts. The branch maintains a statewide list of approximately 350 approved mediators to help parties connect with a person who can provide mediation services promptly and meet mediation scheduling and completion requirements. Any person on the approved mediator list can mediate in any Iowa county, though parties, by mutual agreement, may use a mediator who is not on the list.

After the statewide family law mediation requirement has been in effect for at least one year, the judicial branch will evaluate the impact of the requirement. The evaluation will examine settlement success rates, case processing times, number of petitions for modification filed, number of hearings held, and number of appeals before and after the requirement was implemented.



JUDICIAL BRANCH OUTREACH



Justice Edward Mansfield

Justice Christopher McDonald



Celebrating 10 Years of Iowa Supreme Court Community Visits

Community visits are an opportunity for more Iowans to see firsthand how the justice system and the rule of law operate to settle disputes and ensure the rights of all Iowans are fairly and impartially protected. School visits build upon what students have learned in school, lead to a common understanding of the history and role of the courts, and encourage students to learn more about the work of courts and the vital link between the rule of law and democracy.

The Iowa Supreme Court marked a decade of traveling to communities around the state to hear oral arguments when it visited Oskaloosa last September. In the past ten years, the court has heard oral arguments in 31 communities and visited 200 schools, universities, and colleges.

Originally, the court made four visits a year, two in the spring and two in the fall. The court also hears oral arguments at Drake University Law School in the spring and the University of Iowa College of Law in the fall. Additionally, the court hears evening oral arguments in Des Moines in the Judicial Branch Building once a year and hears oral arguments at a Des Moines area high school each fall for Constitution Day. The court did not go on the road in 2020 due to the COVID-19 pandemic and is now scheduling two trips a year.

Oral arguments on the road are all scheduled in the evening, so as many people as possible may attend. On a typical trip, the court leaves Des Moines in the morning. Most of the justices travel to county courthouses along the way to visit with judges and staff. The chief justice and communications director often meet with the local newspaper's editorial board. The court may also schedule an afternoon press conference with the chief justice and the justice who lives nearest to the town the court is visiting.

To begin the evening, the justices attend a dinner with local government officials, legislators, and

business leaders. The chief justice sends invitations to attend the oral arguments to state legislators in the area. The dinner is sponsored by the local bar association or chamber of commerce or both.

The supreme court usually hears oral arguments in the local high school auditorium as the high school typically has a good stage for the court, good parking, and everyone in town knows where it is. The court has also convened in community college auditoriums and community fine arts centers. In addition, the court heard arguments at Music Man Square in Mason City, the Wieting Theatre in Toledo, and the Grand Theater in Keokuk.

After the oral arguments, the court joins the audience in a reception sponsored by the local bar association. A large percentage of the audience will usually stay for the reception to meet with the justices informally and ask questions. The morning after the court's oral arguments, the justices fan out to meet with upper-level high school Government and American History classes. The justices talk about their responsibilities on the supreme court and the Iowa court system, and they answer questions students may have about the judicial branch of government. Justices also visit the local college or community college.

Watch the Iowa Judicial Branch website for the announcement of upcoming community visits by the supreme court.





Judicial Branch Podcast Explores Court System from the Inside, Out

In June of 2020, the Iowa Supreme Court approved a podcast series aimed at sharing the valuable information typically discussed on courthouse tours. The new project checked all of the boxes: inexpensive to produce, free and easily accessible to Iowans on phones, tablets, and computers; with an entire branch of state government to explore.

In the Balance, the Iowa Judicial Branch podcast, celebrated its one-year anniversary on August 25, 2021. The podcast includes episodes with interviews of supreme court justices, court of appeals judges, and judicial branch staff, and covers topics such as Iowa's first female attorney admitted to the bar, a panel discussion about diversity in the workplace, and the Iowa bar exam. Iowa is currently one of only six state judicial branches to produce its own podcast.

With the March 2020 appearance of COVID-19 in Iowa, the judicial branch adapted and found new ways to keep our courts open to help resolve Iowans' disputes. Yet, with necessary social distancing and limited seats available in courtrooms across the state, the buildings were not as accessible as they once were. The pandemic hit at the peak season for school field trips, speaking engagements, mock trials, Law Day, law student orientations, and other outreach opportunities. Unable to accept guided courthouse tour requests, the judicial branch was determined to find a way to safely connect with the public.

"The Iowa Judicial Branch is dedicated to an open and transparent court system," Counsel to the Chief Justice Molly Kottmeyer said. "For the safety of Iowans during the pandemic, our courtrooms and courthouses were not able to accommodate the public as they did before. The podcast allowed us to interact with the public in a new but still meaningful way."

While the Iowa Judicial Branch Building and courthouses across the state are open to the public

once again, the podcast has become a permanent communications outreach project. Since its inception, In the Balance has achieved 1,048 views on YouTube, 918 downloads on podcast applications, and 14,894 page views from August 2020 to November 2021.

In the Balance is a monthly podcast released on the last Tuesday of every month. The latest two episodes are on podcast apps such as Apple Podcasts and Spotify, while all episodes are on the judicial branch website at <https://www.iowacourts.gov/for-the-public/in-the-balance-podcast/>, and archived on our YouTube channel [here](#).

IN THE BALANCE



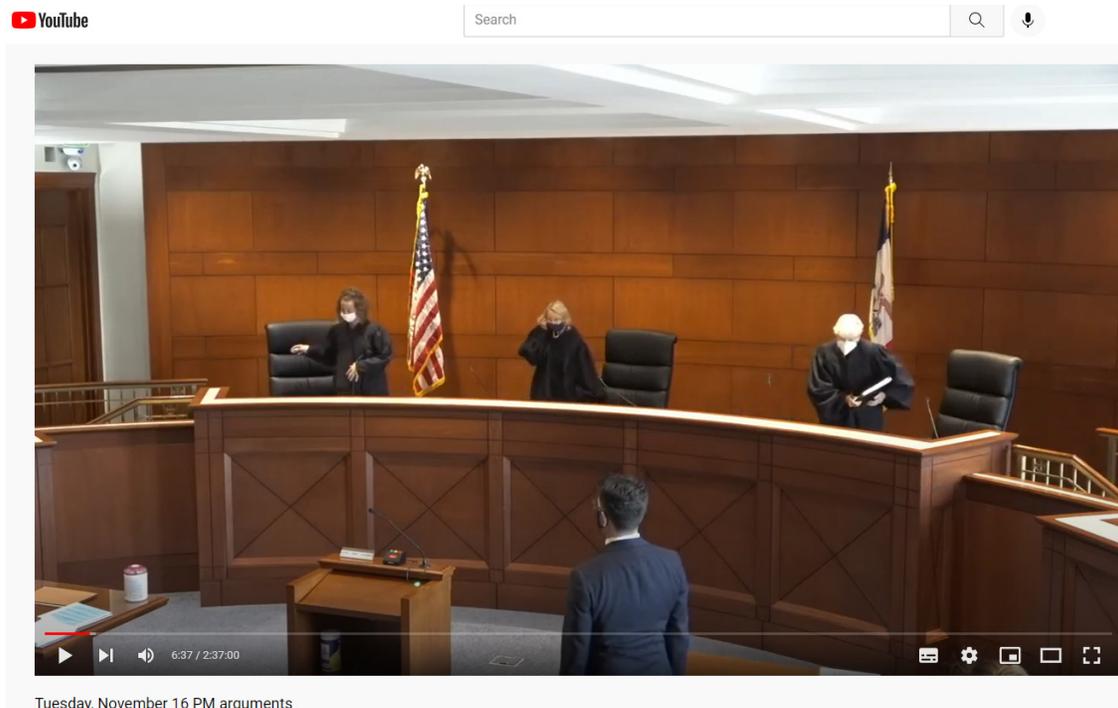
An Iowa Judicial Branch Podcast





Iowa Court of Appeals Livestreaming Allows Greater Access to Court Proceedings

The Iowa Court of Appeals began livestreaming in May 2020, when all of its hearings went virtual. Today, the court plans to make livestreaming a permanent service moving forward after receiving positive feedback from attorneys, clients, and the public alike.



The Iowa Court of Appeals, along with the rest of the judicial branch, rushed to adapt to new conditions upon the emergence of COVID-19. Prior to 2020, the court of appeals did not livestream its oral arguments due to the large number of cases heard and submitted. When the court shifted to virtual oral arguments in May 2020, it decided to livestream its hearings to keep the arguments available to the public and interested parties.



**Chief Judge
Thomas Bower**

The monthly oral arguments were heard over Zoom and streamed to the Iowa Court of Appeals YouTube channel. After the first few months, the judges saw the viewership numbers continue to climb.

“Every month we were surprised

to see the livestream views grow. Our courtroom doors have always been open to the public, but we were witnessing a huge uptick in public interaction with the court of appeals at a time when our physical courtroom was closed,” said Chief Judge Thomas Bower.

Currently, the court of appeals livestreams its oral arguments in real-time, but the videos are unavailable to the public once court has adjourned. In the near future, the court hopes to implement new policies for the retention of livestreamed cases. To view the monthly livestreams of the Iowa Court of Appeals, visit www.youtube.com, and search “Iowa Court of Appeals.”

COVID-19 IMPACT ON THE COURTS



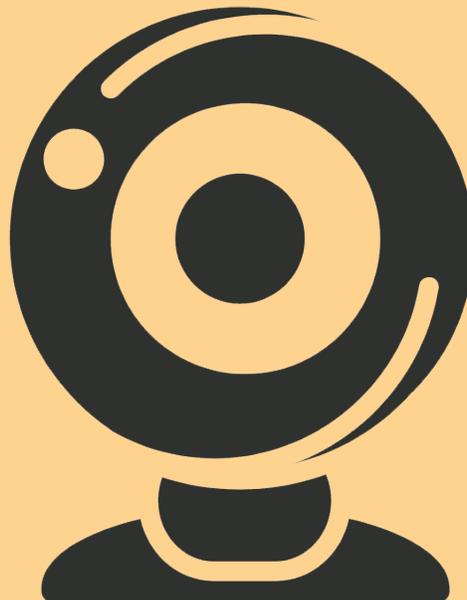


Zooms and GoToMeetings



25,531
Zoom Meetings
CY 2021

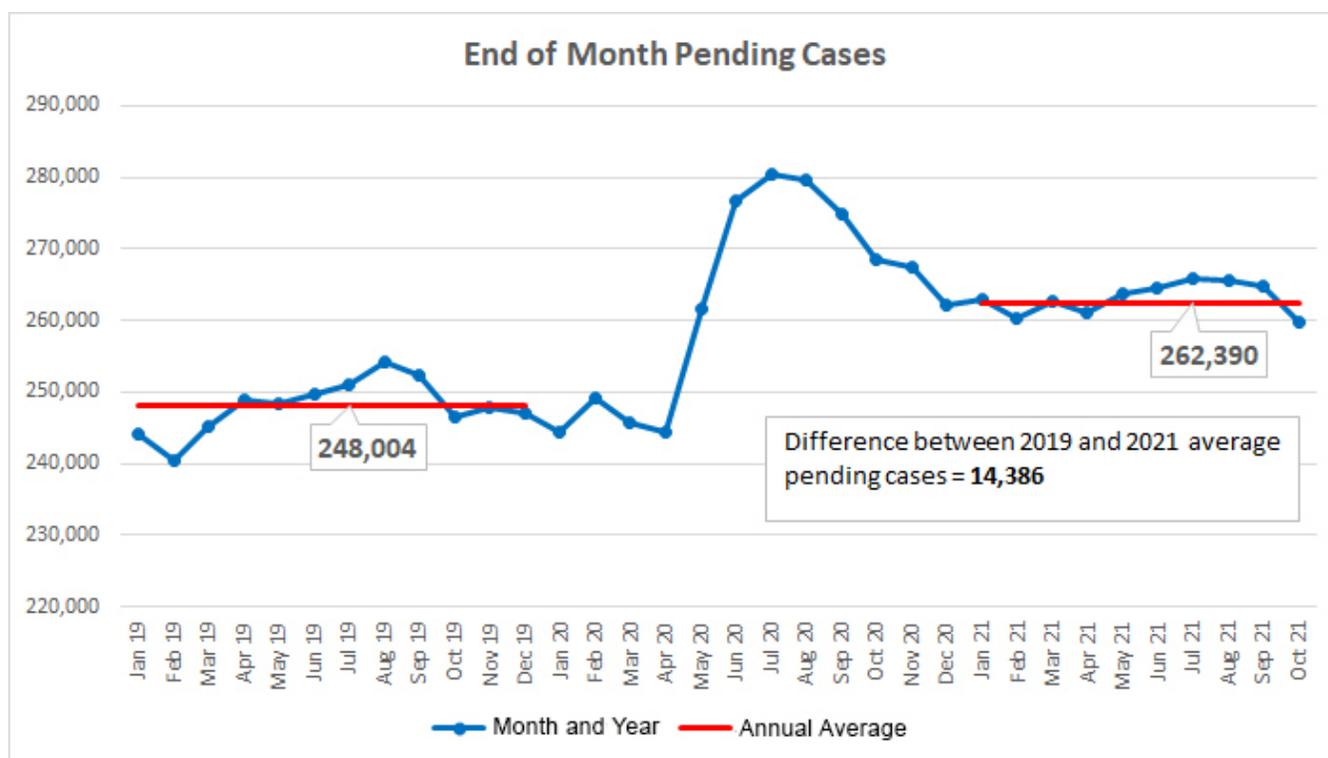
39,888
GoToMeetings
CY 2021





COVID-19 Backlog of Court Cases

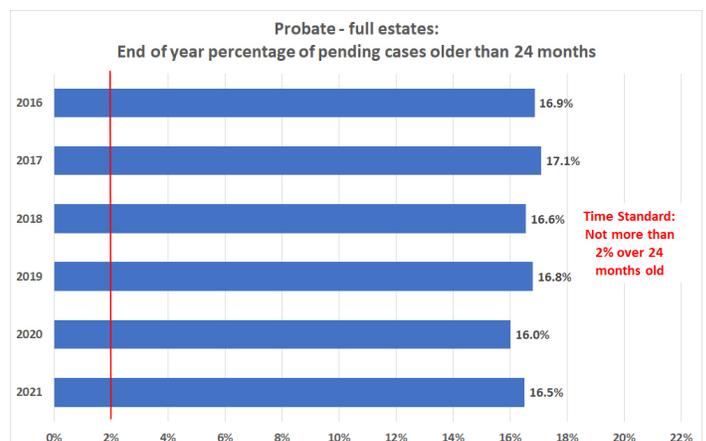
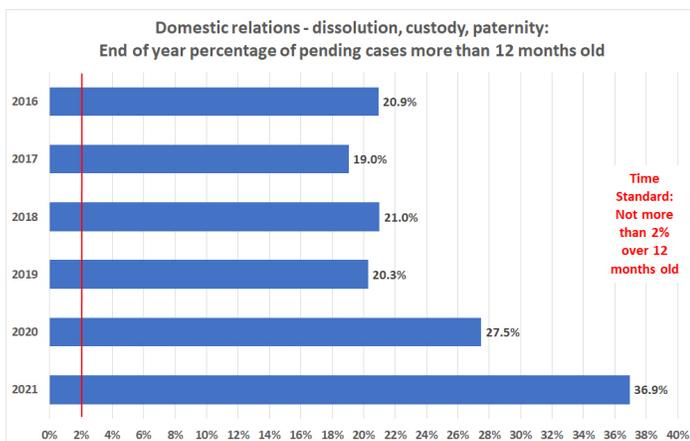
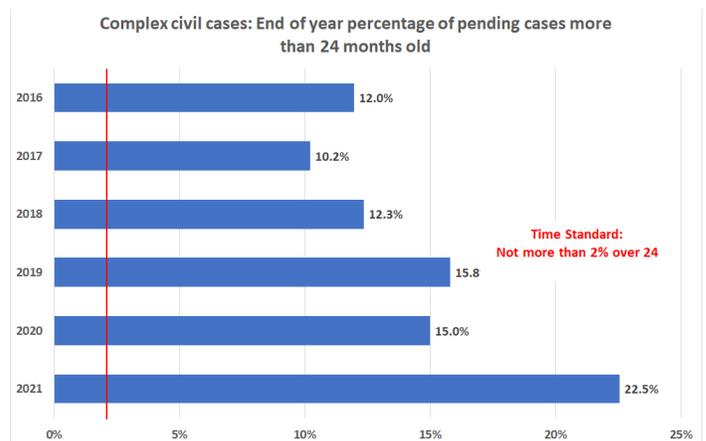
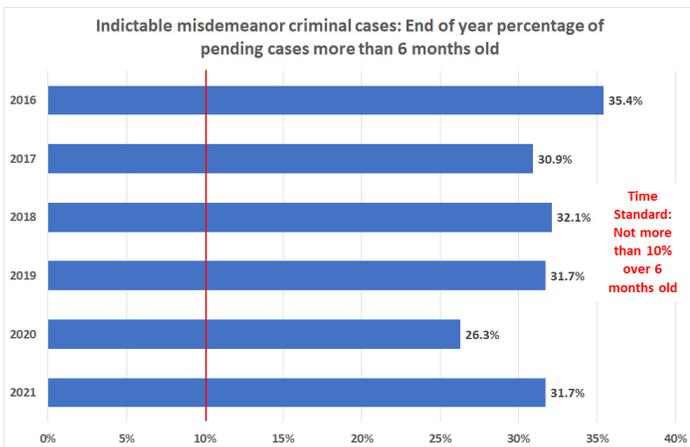
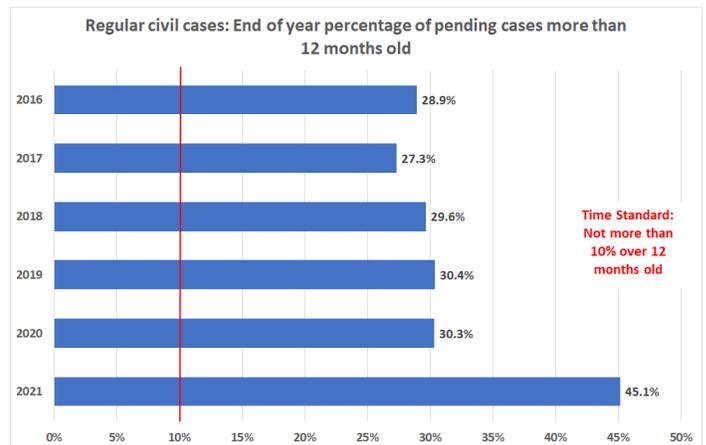
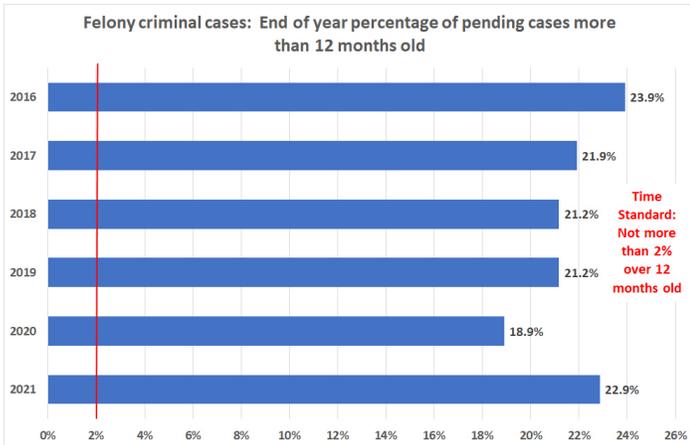
Over the course of a typical year, the number of pending cases remains fairly constant, with only modest changes from day-to-day and month-to-month. Though 2020 started like a typical year, the arrival of COVID-19 in Iowa had significant impacts on the number of pending cases. The number of pending cases grew substantially in the spring and summer of 2020. After an initial surge in the number of pending cases, judicial branch efforts to get cases moving through the court system had a major impact. After a large reduction from the peak, the number of pending cases has stabilized but remains above typical levels. The judicial branch is continuing to address the backlog of pending cases in 2021.





Age of Pending Cases

The judicial branch has been working to move cases through the court system faster. As shown in the six charts below, there had been noteworthy improvement in the age of pending cases in relation to national time standards, particularly in the criminal case categories, which have higher priority under Iowa’s case processing priority order. For example, no more than 2% of all felony cases should still be pending after 12 months. As the chart shows, nearly 23% of our felony cases remain pending more than 12 months after filing. Despite some improvements from 2016 and 2019, the effect of COVID-19 is apparent at the end of 2021, particularly in case types that have lower case processing priority.



2021 BY THE NUMBERS



District Court Structure and Case Statistics

Iowa's judicial branch comprises the supreme court and the court of appeals, both of which are appellate courts, and district courts, which are Iowa's trial courts.

Iowa District Courts. Many states have a complex array of municipal, county, and state courts, with each type funded and operated by a different level of government, often using different procedures and computer systems. Iowa had that type of decentralized court system until the legislature passed the Unified Trial Court Act in 1973.

That act unified all municipal, justice of the peace, and county courts into one statewide system of district courts, which are operated with state appropriated funds in court space provided by Iowa's 99 counties. All judges, court staff, and information technology costs are state funded, while the counties pay for the courthouses and their maintenance. There is at least one district courthouse in every county.

Nearly all cases begin in the district court. Iowa's district courts have general jurisdiction over civil, criminal, juvenile, and probate matters in the state. Iowa's 116 district court judges hear cases and provide leadership and oversight for trial court activity.

Though Iowa's district courts have general jurisdiction, not all judicial officers have jurisdiction to hear all types of cases. District judges have authority to hear all types of cases that may come before the court.

The 77 district associate judges in Iowa have the authority of a magistrate (see below), plus authority to hear cases involving serious misdemeanor, aggravated misdemeanor, and Class D felony charges, civil cases involving amounts in dispute of \$10,000 or less, and juvenile cases.

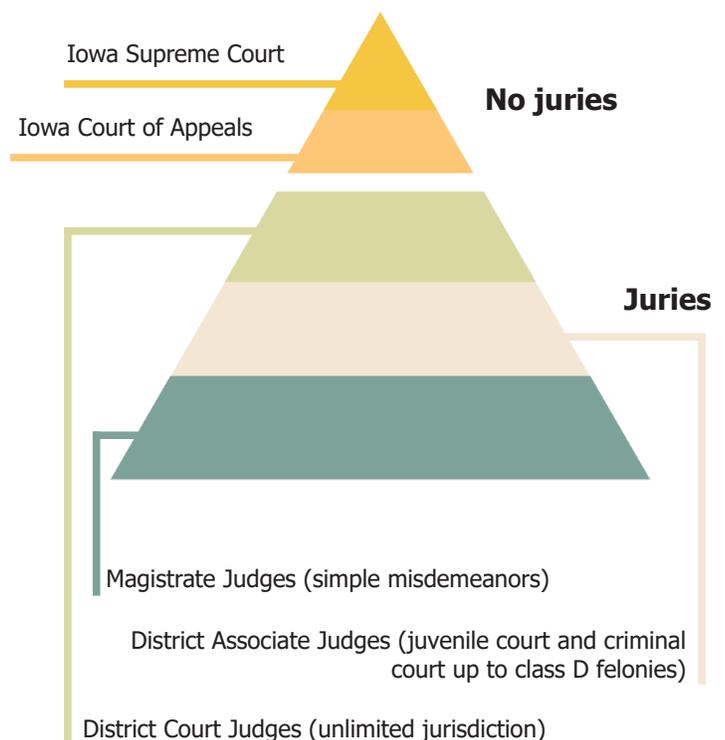
The authority of the three associate juvenile judges is limited to juvenile court matters, and the one associate probate judge in Iowa is limited to handling probate cases.

Iowa also has 140 judicial magistrates, who are part-time judicial officers (all other judges are full-time). Magistrates may also practice law in case types that do not come before a magistrate in the magistrate's assigned county.

Magistrates have jurisdiction over simple misdemeanors, including scheduled violations, county and municipal infractions, small claims, and landlord-tenant claims. Magistrates have authority to handle initial appearances in all criminal cases, issue search warrants, conduct preliminary hearings, and hear certain involuntary hospitalization matters.

During calendar year 2021, the district courts received a total of 661,302 case filings, probation revocations, and contempts.

5 Levels of Courts in Iowa



District Court Caseload

Civil Cases, including divorce, domestic relations, medical/dental malpractice, mortgage foreclosure, and debt collection

2017	65,603
2018	61,744
2019	61,520
2020	50,292
2021	50,499

Small Claims and Infractions Cases, including landlord tenant disputes

2017	79,727
2018	87,380
2019	86,808
2020	68,117
2021	71,822

Probate Cases

2017	14,394
2018	14,325
2019	13,446
2020	13,216
2021	14,974

Adult Mental Health Commitments

2017	14,197
2018	13,709
2019	13,421
2020	12,764
2021	13,806

Serious Criminal Cases

2017	87,731
2018	93,105
2019	90,789
2020	79,129
2021	85,305

Simple Misdemeanor Cases, including traffic citations

2017	491,165
2018	475,723
2019	469,812
2020	380,582
2021	415,919

Juvenile Cases, including delinquency, child in need of assistance, termination of parental rights, and juvenile mental health commitments

2017	12,128
2018	12,088
2019	11,304
2020	8,813
2021	8,977

Total filings, including contempts, and probation revocations

2017	764,945
2018	758,074
2019	747,100
2020	612,913
2021	661,302

Appellate Court Structure and Case Statistics

Iowa Supreme Court. The Iowa Supreme Court is the highest tribunal in our court system. It includes seven justices who consider and decide cases. The Iowa Supreme Court is an appellate court that reviews decisions of trial courts, and it also may review opinions of the court of appeals. The Iowa Supreme Court also has special jurisdiction and sole authority over certain matters that do not come before trial courts, such as the duty to adopt court rules, or to hear cases involving lawyer discipline.

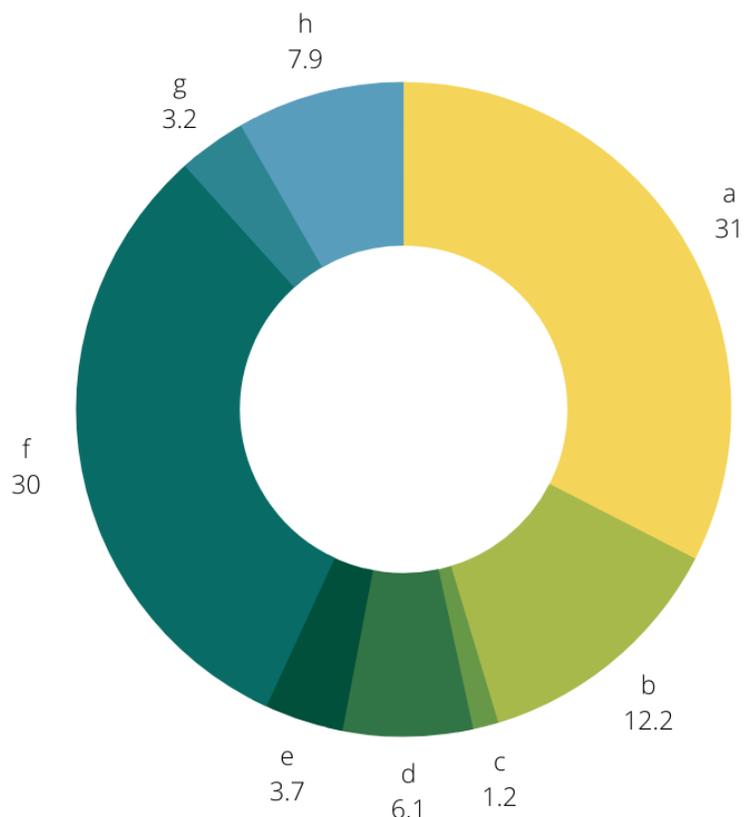
In Iowa, all appeals of trial court actions go directly to the supreme court which, after review, determines whether it will retain the appeal or transfer it to the court of appeals. Under court rules, cases that the supreme court retains typically involve substantial constitutional questions, potential conflicts in law, substantial issues about which there is not well-settled law, and cases involving fundamental or urgent issues of broad public importance.

In addition to serving as the constitutional head of Iowa’s judicial branch and functioning as the court of last resort, the seven-member Iowa Supreme Court has the sole power to admit persons to practice as attorneys in the courts of Iowa, to prescribe rules to supervise attorney conduct, and to discipline attorneys.

The supreme court is also responsible for promulgating rules of procedure and practice used throughout the state courts, and has supervisory and administrative control over the judicial branch and over all judicial officers and court employees.

Iowa Court of Appeals. The Iowa Court of Appeals is an intermediate appellate court. It includes nine judges who consider and decide cases in rotating panels of three judges. The court hears appeals from district court decisions that have been transferred to the court of appeals by the supreme court. A decision of the Iowa Court of Appeals is final unless reviewed by the Iowa Supreme Court on grant of further review.

The supreme court typically transfers to the court of appeals any appeals involving the application of existing legal principles and cases that may be appropriate for summary disposition. The court of appeals plays an essential role in ensuring that prompt attention is given to appeals. Though the court of appeals does devote most of its time to appeals, judges of the court of appeals are often called upon to participate in meetings of commissions, task forces, and other proceedings.



a. criminal b. post conviction c. trusts, estates, wills d. tort, property, contracts e. domestic relations f. termination of parental rights and children in need of assistance g. administrative law h. other

OUR MISSION

The Iowa Judicial Branch dedicates itself to providing independent and accessible forums for fair and prompt resolution of disputes, administering justice under law equally to all persons.

OUR CORE VALUES

Fairness: Guided by the rule of law and committed to impartiality in all its decisions and actions, the Iowa Judicial Branch delivers high quality justice and service to all persons regardless of their gender, race, age, ethnicity, religion, or political affiliation.

Accessibility: Iowa's courts are committed to reasonable and affordable fees and procedures, as well as safe and convenient court locations, facilities accessible to persons with disabilities, and high quality language interpretation services. Court instructions, orders, judgments and forms shall be understandable to the average citizen. Unless prohibited by law, all court proceedings and records shall be open and accessible to the public we serve.

Integrity: Iowa's courts employ well-trained and hard-working personnel who are committed to excellence, bound by codes of professional ethics and conduct, and accountable for the public funds allocated for judicial branch operations.

Independence: Empowered by the constitutional principles of our democracy, the Iowa Judicial Branch exercises governmental autonomy while maintaining respect for, and fostering cooperation with, the executive and legislative branches of government. Iowa's courts are free from, and do not engage in, any partisan politics.

Efficiency: Civil claims, criminal charges, and all other matters coming before Iowa's courts shall be addressed with efficiency and dispatch, consistent with careful and thoughtful deliberation. To that end, the Iowa Judicial Branch applies its resources toward practical and innovative technologies for the administration of justice.



THE IOWA JUDICIAL BRANCH 2021 ANNUAL REPORT