

IN THE FIFTH JUDICIAL DISTRICT OF IOWA

IN RE: THE MATTER OF CRIMINAL
CASE PROCESSING FOR CERTAIN
JUVENILES

ADMINISTRATIVE ORDER 2024-1
(REPLACING ADMINISTRATIVE
ORDER 2011-14)

On April 11, 2011, the court entered Administrative Order 2011-14 detailing the procedures for law enforcement agencies and court personnel to follow when processing juveniles excluded from juvenile court jurisdiction pursuant to Iowa Code §232.8(1)(c). * Since the entry of that order, the proper location for initial appearances during regular court hours has changed. In addition, the definition of "regular court hours" was not specified in Administrative Order 2011-14. As a result, that order is stricken and replaced by the following:

IT IS THEREFORE ORDERED that when a law enforcement agency makes an arrest of a sixteen or seventeen year old juvenile excluded from juvenile court jurisdiction pursuant to Iowa Code §232.8(1)(c) and the arrest is made during regular court hours (defined as between 8:00 a.m. and 4:00 p.m. Monday through Friday, excluding recognized court holidays), the juvenile shall be transported by the arresting agency to Room 130 of the Polk County Criminal Courts Building, 110 6th Avenue, Des Moines, IA, for an initial appearance. Unless the juvenile posts bond immediately following an initial appearance, the Polk County Sheriff shall transport the juvenile to the Polk County Jail, 1985 N.E. 51st Place, Des Moines, IA, for booking. Once the booking process has been completed, the sheriff shall transport the juvenile to the Polk County Juvenile Detention Center located at 1548 Hull Avenue, Des Moines, IA, for detention until the next court proceeding.

IT IS FURTHER ORDERED that when a law enforcement agency makes an arrest of a sixteen or seventeen year old juvenile excluded from juvenile court jurisdiction pursuant to Iowa Code §232.8(1)(c) and the arrest is made outside regular court hours (as defined above), the juvenile shall be transported by the arresting agency to the Centralized Intake Center at the Polk County Juvenile Detention Center for detention until the next regularly scheduled session of court in the jail courtroom of the Polk County Jail (including weekends and holidays). The arresting

agency shall transport the juvenile from the Polk County Juvenile Detention Center to the jail courtroom for an initial appearance when the jail courtroom is in session. The Polk County Sheriff shall be responsible for transportation back to the Polk County Juvenile Detention Center after the juvenile's initial appearance in the jail courtroom.

These procedures shall be in effect as of the effective date of this order and shall remain in effect until further order of the court.

Dated this 16th day of January 2024.


MICHAEL D. HUPPERT, CHIEF JUDGE
FIFTH JUDICIAL DISTRICT OF IOWA

* Iowa Code §232.8(1)(c) allows for the direct filing of charges against 16- and 17-year-old juveniles in adult court under the following situations:

- A. Alleged violations of Iowa Code §124.401(1)(e) or (f) (engaging in prohibited activities involving controlled substances while in the immediate possession or control of a firearm or dangerous weapon).
- B. Alleged violations of Iowa Code §723A.2 (criminal gang participation) while in the immediate possession or control of a firearm or dangerous weapon.
- C. Alleged violations of Iowa Code chapter 724 which constitute a felony; or
- D. Alleged violations which constitute a forcible felony as defined in Iowa Code §702.11.

Copies to:

Chief Justice Susan Christensen, Iowa Supreme Court
Liaison Justice Edward Mansfield, Iowa Supreme Court
State Court Administrator, Bob Gast
District Court Administrator, Marques Wilson
All Polk County District & District Associate Judges
All 5C Judges
All Polk County Area Law Enforcement Agencies
Chief Juvenile Court Officer, John Hawkins
Polk County Sheriff's Office, Chief Pilch
Juvenile Case Scheduler
5C Clerk of Court, Anne Sheeley
Kimberly Graham, Polk County Attorney
Polk County Attorney's Office, Andrea Vitzthum
Valorie Wilson, Adult Public Defender
Matthew Sheeley, Juvenile Public Defender
Michelle Dix, Department of Corrections
Polk County Div. Iowa Department of Health and Human Services
Youth Law Center, Jami Hagemeyer
Posted on JB website