

To: All Iowans
From: Iowa Judicial Branch
Re: Judicial Branch Operations Summary
Date: May 11, 2020

The court filed several supervisory orders this week.

Reference Materials:

[Supreme Court Supervisory Order, May 8, 2020](#)
[Supreme Court Supervisory Order, May 6, 2020](#)
[Supreme Court Supervisory Order Bar Exam, May 6, 2020](#)
[Supreme Court Supervisory Order, April 27, 2020](#)
[Information on the COVID-19 Iowa Legal Information Hotline](#)
[Supreme Court Supervisory Order, April 17, 2020](#)
[Supreme Court Supervisory Order, April 6, 2020](#)
[Supreme Court Supervisory Order, April 2, 2020](#)

Summary:

Clerk of Court Offices: Clerk's offices will continue with their current policies regarding public access and staffing. If you need to access the clerk's office for emergency and essential matters, please call the clerk of court's office first so that you are provided with procedures that are in place. Phone numbers are listed in the [Clerk of Court phone directory](#) on the judicial branch website. Do not visit the clerk's office or the courthouse in person if you are feeling ill or if you are subject to a quarantine.

Garnishments: State Court Administration sent revised guidance to Clerks of Court

- 1) Until further notice, if someone attempts to file a praecipe (Request for General Execution), simply reject it and refer the filer to the Governor's Proclamation of April 24, section 28.
- 2) 2) If someone attempted to file a praecipe on April 24, reject it, refer the filer to the proclamation, and refund their filing fee.
- 3) If someone attempts to file an Application to Condemn Funds, accept the application and docket it. (Assuming it complies with the usual court rules related to filing documents.)

- 4) Sheriffs will be returning their Return(s) of Service of General Execution as usual -- meaning their Returns will be coming in after April 24. Simply accept and process the sheriffs' returns as usual.
- 5) Cases in which funds were garnished prior to April 24 will be handled by the court as usual. However judges will have discretion to decide how to handle garnishment efforts that occurred after April 24.
- 6) Sheriffs may ask you questions about their ability to collect on executions that were issued before April 24. Employers may ask you questions about whether or not they should garnish wages for executions that were issued before April 24. Those questions would require you to give legal advice, so refer your sheriff to his/her county attorney, and the employers to their own legal counsel.

Iowa Bar Exam: The bar exam remains scheduled for July 27-29, 2020. The latest updates regarding the administration of the July 2020 bar exam can be found at: <https://www.iowacourts.gov/opr/attorneys/admissions/>.

Jumpstart Jury Task Force: The court established this Task Force to develop temporary policies and procedures for jury trials resuming following the COVID-19 postponements.

Iowa Rule of Civil Procedure 1.944: All cases currently subject to dismissal under 1.944(2) if not tried before January 1, 2021 are provided a one-time, one-year automatic extension of the deadline for the commencement of trial through December 31, 2021.

Appellate Oral Arguments: The appellate courts may proceed with oral arguments using videoconference or telephone conference.

Statute of Limitations Tolling: The court previously entered an order tolling the statute of limitations or other deadline for commencing an action from March 17, 2020 to June 1, 2020 (76 days). On May 8, the court expanded on this order to explain what would happen if the statute of limitations is otherwise scheduled to run ON OR AFTER June 1. Do the 76 days still get added? The answer is yes if the statute of limitations would otherwise run on or before December 31, 2020 - the end of this year. After that, tolling is immediately phased out and eliminated, with one day of tolling dropped for each day that passes. Here are examples:

- Statute would otherwise run on March 16, 2020 - no tolling - statute still runs on March 16, 2020
- Statute would otherwise run on March 17, 2020 - 76 days of tolling - statute runs on June 1, 2020

- Statute would otherwise run on June 2, 2020 - 76 days of tolling - statute runs on August 17, 2020
- Statute would otherwise run on July 7, 2020 - 76 days of tolling - statute runs on September 21, 2020
- Statute would otherwise run on December 31, 2020 - 76 days of tolling - statute runs on March 17, 2021
- Statute would otherwise run on February 2, 2021 - 44 days of tolling - statute runs on March 17, 2021
- Statute would otherwise run on March 15, 2021 - 2 days of tolling - statute runs on March 17, 2021
- Statute would otherwise run on March 17, 2021 - no tolling - statute still runs on March 17, 2021

Please feel free to share any concerns or questions you may have with Anna Stoeffler (anna.stoeffler@iowacourts.gov), Chief Justice Christensen's Senior Law Clerk. Ms. Stoeffler is regularly reviewing these communications and assembling and forwarding information to the Chief Justice.

The Iowa Judicial Branch sincerely appreciates the professionalism and patience from attorneys, law enforcement, county attorneys, public defenders and all Iowans who access the courts in their communities.