

IOWA JUDICIAL BRANCH

2019 ANNUAL REPORT

**IOWA'S COMMUNITY-
BASED COURT SYSTEM**

Our Mission

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

Our Core Values

IOWA JUDICIAL BRANCH

Fairness

Accessibility

Integrity

Independence

Efficiency

Introduction

Iowans depend on their courts. At any given moment, an allegation of abuse may place the health, safety, and well-being of a child, the rights of a parent, and the future of a family in the hands of a judge. At the same moment, an Iowa court may be starting a jury trial involving serious criminal charges. Another court may be hearing a case involving a complex agricultural or business dispute, or a difficult divorce involving children. In the hundreds of thousands of such matters that come before Iowa courts each year, we must ensure that we administer justice to all Iowans equally.

As we look across our great state and see courthouses open for Iowans, we know the courthouse buildings are far more than a visual symbol of the history and identity of a community. We know the judges and court employees working in these courthouses are serving with integrity to provide fair and impartial justice for Iowans. We know what happens in courtrooms matters to Iowa communities.

The place for the judicial branch in the foundation of Iowa communities is not new. Iowa's judicial system has a proud history dating to before our statehood in 1846. Iowa's first supreme court was established in 1838 as a core component of the Territorial Government of Iowa. History shows that much of Iowa's success in maintaining a respected system of justice is the product of 180 years of progress. We are proud of our past, yet our sights are set on the future.

No matter how well the courts work for Iowans today, we know we can always do better. The "Iowa way" of doing business is to continuously improve. We are committed to ensuring that a spirit and culture of continuous improvement permeates throughout every courthouse in Iowa.

As we strive for continuous improvements to better serve Iowans, we can take pride in achieving greater efficiencies. We have harnessed many of the capabilities offered by the latest court technology and can appreciate the benefits. Yet, as we move forward, we must keep as our central focus the Iowans who are served by Iowa's justice system.

With great optimism, we look ahead to the future, knowing that more improvements are on the horizon.



David Wiggins

Acting Chief Justice

A handwritten signature in black ink, appearing to read "D. Wiggins", with a long horizontal flourish extending to the right.



Todd Nuccio

State Court Administrator

A handwritten signature in black ink, appearing to read "T. Nuccio", with a long horizontal flourish extending to the right.

COURTS WORK FOR IOWANS

ISSUING EMERGENCY PROTECTION ORDERS AFTER HOURS. To better respond to Iowans seeking help in an emergency outside of regular business hours, a system is being created to allow for after-hours issuance of emergency domestic abuse, sex abuse, and elder abuse protection orders.



MAKING ONLINE PAYMENT EASIER. To provide Iowans with a more convenient, efficient, and user friendly payment system, an online “shopping cart” feature was added to allow for payment of multiple fines, fees, and costs in a single transaction.



RESOLVING DISPUTES FROM HOME. To increase access and reduce disruptions that occur for Iowans involved in certain cases, pilot projects are launching for “online dispute resolution” in small claims, traffic, and landlord-tenant cases.



DIVERTING LOW RISK YOUTH AWAY FROM COURT. To protect communities, create positive outcomes for juveniles, and save money on costly juvenile detention, juvenile court officers are partnering with law enforcement agencies and service providers to divert youth into community-based programs.



STRENGTHENING PROBLEM-SOLVING COURTS. To better target the root causes of criminal acts and break the cycle of re-offense, a plan is being advanced to improve support for Iowa’s “problem-solving courts,” which will lay the groundwork to ensure that these courts are effective and their services are made available statewide.





INCREASING EFFICIENCY OF OPERATIONS. To achieve greater efficiency, balance workload, and create capacity to address workload fluctuations, a new model to distribute court work across geographical boundaries is being tested.



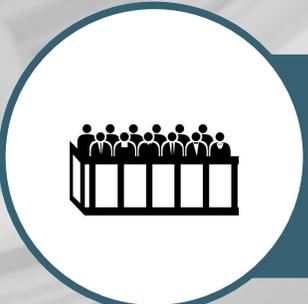
OFFERING EASY-TO-USE COURT FORMS. To make it easier for Iowans to access the courts, a major effort to create interactive, guided court forms was launched.



INCREASING EFFICIENCY THROUGH VIDEO CONFERENCING. To increase efficiency and reduce travel costs, video conferencing systems were installed in select courtrooms to enable remote participation by parties, attorneys, interpreters, and court reporters.



ADDRESSING IMPLICIT BIAS. To ensure all people are treated equally under the law, a more in-depth phase of implicit bias training for judges and court staff is being developed to continue the effort to combat implicit bias.



IMPROVING PROCEDURES FOR JURORS. To ensure that a fair and efficient process exists to impanel juries that are representative of Iowa communities, a new jury management approach was created to allow for higher jury service appearance rates, which may reduce the number of people who need to be summoned for jury service.

PROTECTING IOWA'S CHILDREN



Tackling root causes of child abuse and neglect.

A key element of Iowa's efforts to protect children from abuse and neglect is the family treatment court program, with courts in 12 communities. These courts provide regular and frequent hearings with judges, substance abuse screening and treatment for parents, and coordinated service delivery for families to address parental substance abuse, which is quite often a major contributor to child abuse and neglect.

By reducing the number and duration of out-of-home placements for children, family treatment courts are estimated to have saved Iowa \$16.6 million since 2007

Iowa's well-respected family treatment courts, which are considered by many to have been pioneers in establishing an effective model, have a long track record of positive results for those served and significant cost avoidance for Iowans.

74% of children in family treatment court cases were able to remain with their parent or caregiver during participation in the program since 2008

96% of children did not suffer a recurrence of maltreatment within six months after a parent's entry into family treatment court since 2008

74% of children who had been removed from parental custody were able to return home within 12 months since 2008

Building partnerships to address juvenile delinquency.

Strong evidence shows that youth who commit minor offenses are often well-served by diversion from the formal juvenile justice system.

Diversion programs vary but generally involve programs and services for youth who commit minor offenses and have a low risk to commit a more serious offense. These programs typically involve services provided in partnerships with law enforcement, schools, nonprofit community agencies, and other service providers. Participation does not generate a court record or carry consequences that could stay with a child well into adulthood, perhaps even for a lifetime.

Even for those minors who are not diverted away from the juvenile court system into community programs, most do not face a formal adjudication hearing, as nearly two-thirds of all referrals are addressed through informal procedures, including agreements, warnings, and referrals to community-based services. For more serious offenses, juvenile court officers refer the juvenile case to the county attorney, triggering formal court proceedings.

In the last year, juvenile court services partnered with other agencies to divert 8,417 youth into community programs

INVESTING IN RURAL COURTS



*Image: Davis County Courthouse
Photo Courtesy of the Iowa Tourism Office*

The county courthouses located throughout Iowa are the focal points of town centers. The daily activity in a county courthouse reveals the health and vibrancy of the community.

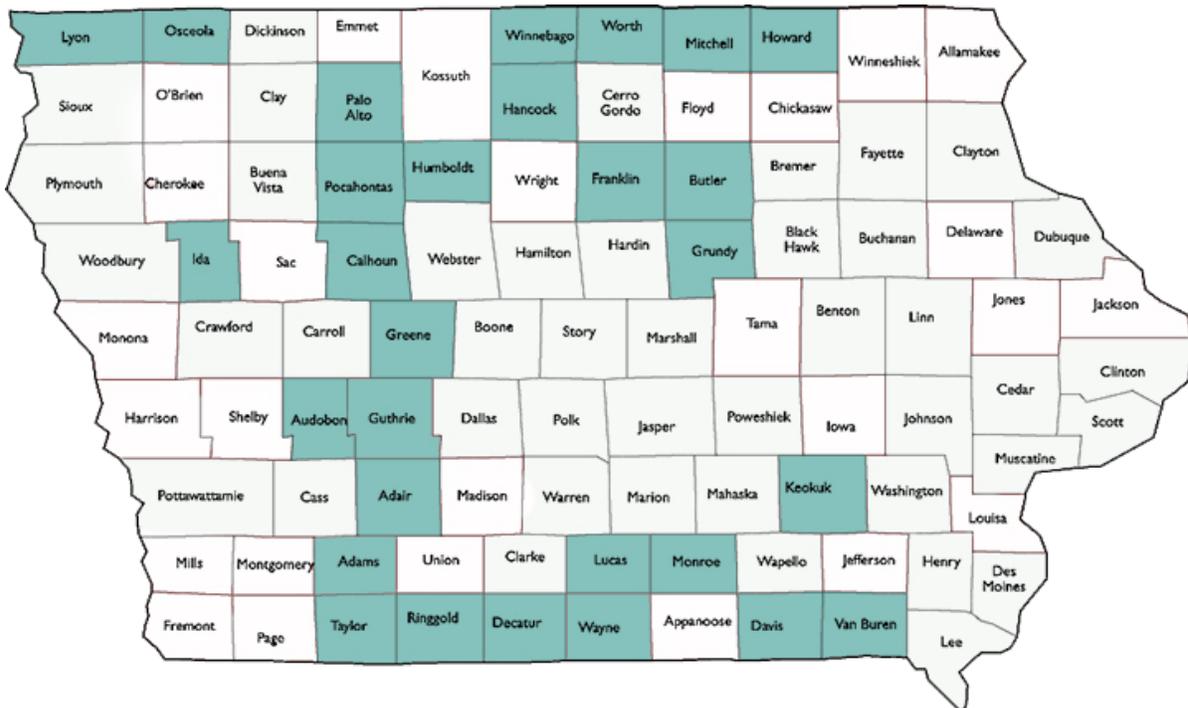
To ensure Iowans are well served by their courts, the judicial branch is working to find ways to distribute and balance workloads by sharing work among counties within a judicial district. Pilot projects in Judicial Districts 1 and 4 are testing an approach to managing court work that allows court staff from a county experiencing a busier period to receive help from a county that is less busy. When the amount of work of a judicial district fluctuates, so will the distribution of work among the counties.

The pilot projects are also looking to determine if there are certain types of work that can be handled by court staff who specialize in performing specific duties quickly, thoroughly, and accurately so the courts may increase both efficiency and quality. For example, jury management for the 11 counties in Judicial District 1 is now being performed from two locations as part of the pilot project. In Judicial District 4, all financial management is being handled in one location for the entire district.

To ensure that a full complement of services remains readily available in all 100 county courthouses, staffing and workload management innovations and teamwork are necessary.

Counties with two or fewer clerk staff

September 2019



OPERATING AN EFFICIENT COURT SYSTEM



Image: Shattering Silence

After hours emergency orders

In a fluid, tense, and potentially dangerous domestic violence incident, immediate action may be necessary. The same need for immediate action may also arise in sexual abuse and elder abuse incidents.

Ensuring that courts are capable of serving lowans outside of normal business hours is both complex and critically important. During the last year, the judicial branch has been developing an emergency protection order process tailored to evening and weekend periods when courthouses are not open and judges are not on hand to sign orders.

Better service for lowans called for jury duty

The judicial branch must ensure that a fair and efficient process exists to impanel juries that are representative of Iowa communities. Further, a well-functioning jury process must be tailored to meet the needs not just of the court, but of jurors.

In December 2018, the judicial branch launched a simplified juror notification process. Under the new system, prospective jurors receive a postcard jury summons that includes information about completing the juror questionnaire online.

Online dispute resolution

Three courts (Black Hawk, Carroll, and Story) are launching pilot online dispute resolution (ODR) programs, which are intended to enhance access, reduce costs, and modernize court procedures in certain high volume civil cases such as traffic, evictions, and small claims.

Business court

Complex business disputes often involve highly technical matters relating to intellectual property, complicated contracts, trade secrets, agricultural disputes, and more. Though all district courts have jurisdiction to hear complex business cases, a specialty business court is in place to handle the most time-consuming and complicated civil cases.

The primary aim of the business court is to move complex commercial litigation cases through the court system quickly, lowering costs for litigants and the court system. Providing a separate track helps not only the complex business cases but also helps cases involving lowans who are not involved in complex business cases by freeing up regular dockets.

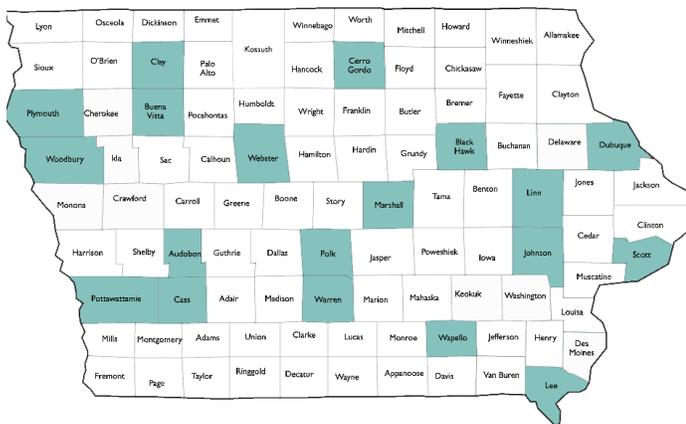
In the last year, the Iowa Supreme Court added two judges and instituted refinements to improve operation of the business court.

PROBLEM-SOLVING COURTS



Tackling root causes. A modern system of justice must not be limited to a traditional adversarial model in which a judge sits as the neutral decision-maker hearing disputes and entering judgments. Some matters that come before our courts are best addressed through efforts targeting the root causes of criminal acts or child abuse and neglect.

The problem-solving court model addresses the underlying conditions that lead to criminal or abusive conduct, such as substance abuse and mental health disorders. In Iowa, there are 39 problem-solving courts operating in 19 of Iowa’s 99 counties.



The 12 family treatment courts have been primarily funded by federal grants since 2007. Most of the 11 adult criminal drug courts also began with the support of federal grants, but subsequently have operated with some funds provided by the Iowa legislature to the judicial district departments of correctional services.

The remaining 16 problem-solving courts were developed primarily as the result of county-based efforts to address problems facing local

communities. They have been sustained through the noteworthy efforts of the judicial branch, corrections officials, law enforcement, providers, and community leaders.

During the past year, the judicial branch identified several strategies to enhance problem-solving courts. The strategies include:

- Developing standards that adhere to nationally recognized best practices for the operation of problem-solving courts
- Ensuring courts follow standards to provide consistency and fidelity to the problem-solving court model
- Developing data collection procedures to monitor performance and adherence to best practices
- Developing and delivering high quality training for problem-solving court judges and staff
- Providing technical assistance as needed

To effectively implement these strategies, a state problem-solving court coordinator will assume a leadership role to ensure effective operation of all the various types of treatment courts and to foster collaboration among problem-solving court judges and staff.

The judicial branch is committed to continuous improvement of these programs and, as appropriate, expansion throughout the state to ensure all people who are best served by a problem-solving court have access.

MAINTAINING ACCOUNTABILITY TO IOWANS



Image: Chief Justice Cady speaking to Johnston High School

Moving forward with a plan. The judicial branch is working hard to maintain high public trust and confidence in Iowa courts. Advancing a strategic plan for the judicial branch to provide even better service to Iowans is part of this effort. The judicial branch conducted an extensive review and prioritization of dozens of proposed organizational improvement projects. The projects were grouped into several major initiatives, each of which will enhance service to Iowans and improve the court system in meaningful ways.

Priority initiatives established during 2019:

- Enhance court services in rural areas
- Protect and enhance the welfare of Iowa's children
- Expand and improve the use of digital technology
- Ensure meaningful access to justice
- Improve the ways courts address problems rooted in addiction & mental health

By identifying specific projects that contribute to improvement of court operations and services in broader topical areas, progress can be monitored and measured, and advancements can be made in multiple areas simultaneously.

Community engagement: bringing courts to Iowans.

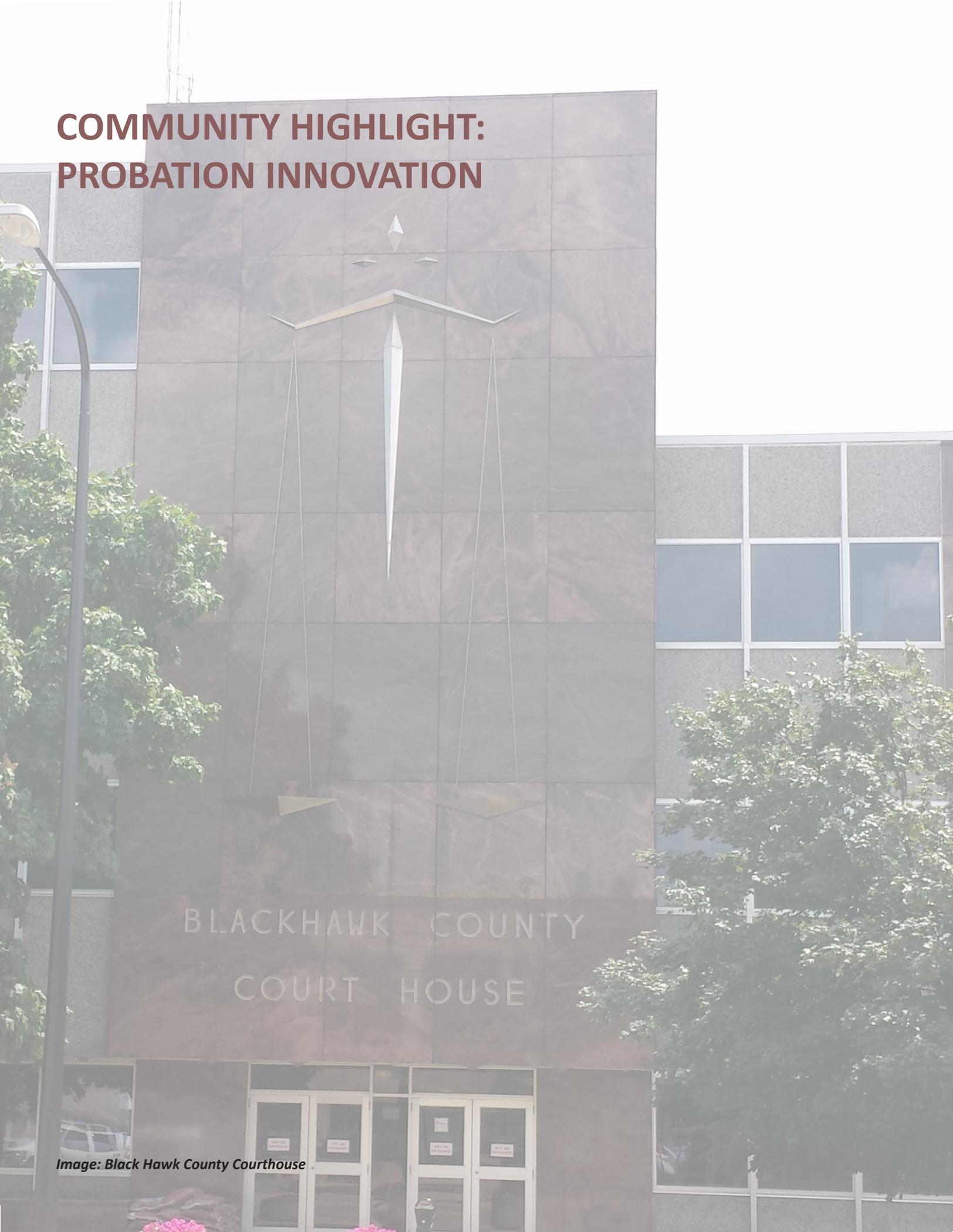
A sustained and concerted effort to engage Iowans and the courts is an important element of enhancing public understanding of our system of justice.

In 2019, the Iowa Supreme Court conducted Court on the Road sessions by hearing oral arguments in Forest City, Johnston, and Red Oak, and a special evening session in Des Moines to expand the availability of the court to the public. The Iowa Court of Appeals heard cases in Iowa City, Okoboji, and Washington. Between May 19, 2011 and September 10, 2019, the Iowa Supreme Court has heard oral arguments in 30 communities and the justices have visited 195 high schools, universities, and colleges.

Constitution Day 2019. The Iowa Judicial Branch joined with the Iowa Department of Education and The Iowa State Bar Association to present a Constitution Day program for Iowa high school students on September 18, 2019. The program included an online orientation video that was made available for social studies students to watch in classrooms across the state before live streaming of Iowa Supreme Court oral arguments.

Constitution Day recognizes the ratification of the Constitution of the United States on September 17, 1787. In 1911, the State of Iowa was the first state to celebrate Constitution Day.

COMMUNITY HIGHLIGHT: PROBATION INNOVATION

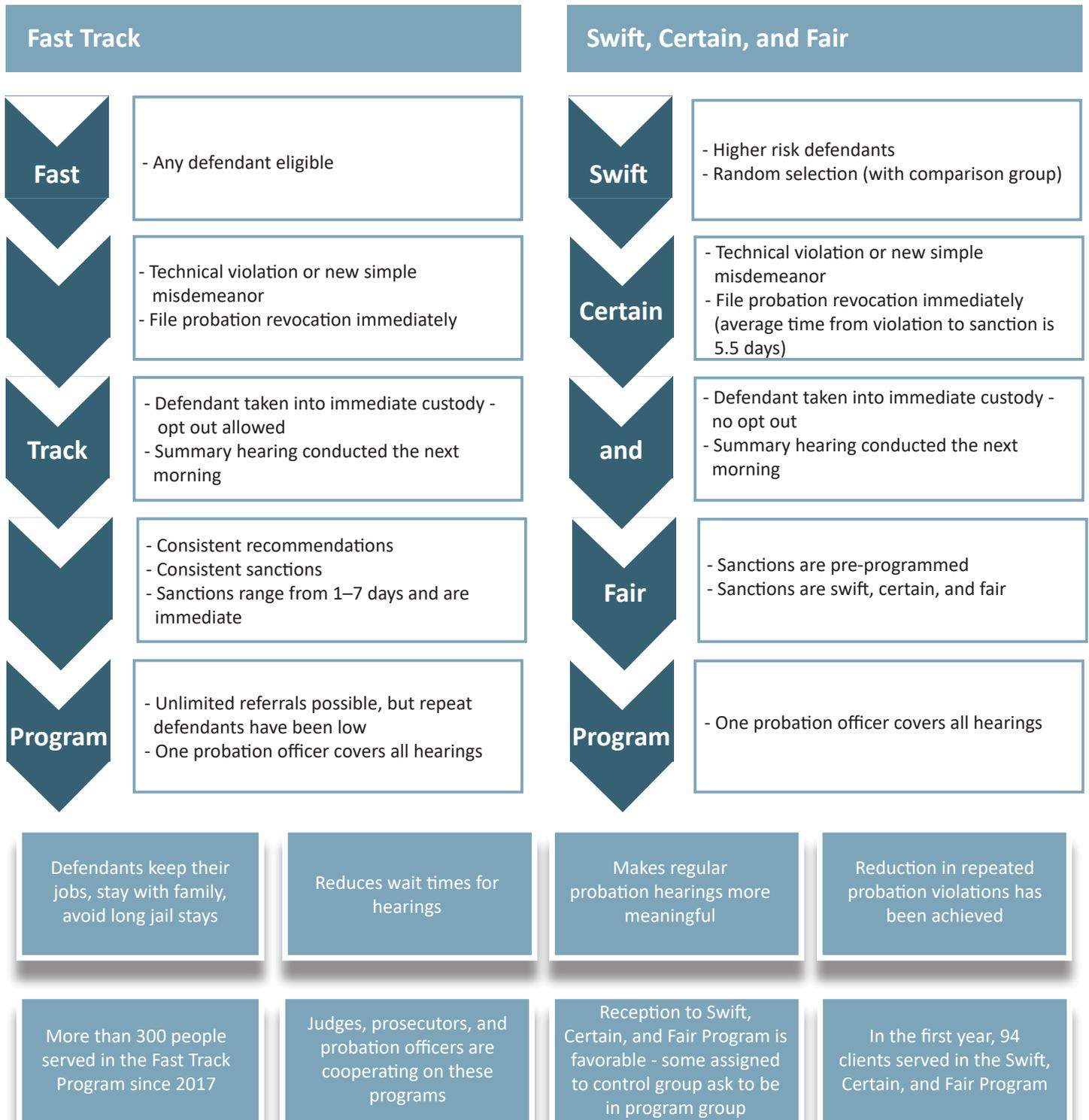
The image shows the exterior of the Black Hawk County Courthouse. The central part of the building is a tall, rectangular section clad in dark, textured stone panels. Mounted on this section is a large, metallic sculpture of a scale of justice. The sculpture features a central vertical beam with a sharp point at the top, flanked by two horizontal arms that extend outwards and then curve downwards to support two pans. The entire sculpture is set against the stone background. Below the sculpture, the words "BLACKHAWK COUNTY" and "COURT HOUSE" are engraved in a light, sans-serif font. At the base of the stone section, there are four glass entrance doors with white frames. To the left and right of the stone section, the building's facade is made of lighter-colored concrete with rectangular windows. Green trees and a street lamp are visible in the foreground on the left side.

BLACKHAWK COUNTY
COURT HOUSE

Image: Black Hawk County Courthouse

Probation revocation reforms. In Black Hawk County, congested probation dockets caused significant delays in scheduling revocation hearings for probationers taken into custody for a technical probation violation or a new simple misdemeanor offense. This resulted in costly and counterproductive jail stays while a defendant awaited a hearing.

In an effort to ensure that relatively modest violations of probation rules or the commission of a simple misdemeanor offense are addressed in a timely, appropriate, and fair way, Black Hawk County has implemented two probation reform programs. These programs are intended to advance the same goals but are tailored to slightly different populations and have different program elements.



DISTRICT STRUCTURE AND CASE STATISTICS

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

The 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 one district courthouse in every county, except Lee County, which has two.

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 69 district associate judges in Iowa have the same authority of a magistrate (see below) as well as authority to hear cases involving serious and aggravated misdemeanors, Class D felonies, civil cases involving amounts in dispute of \$10,000 or less, and juvenile cases.

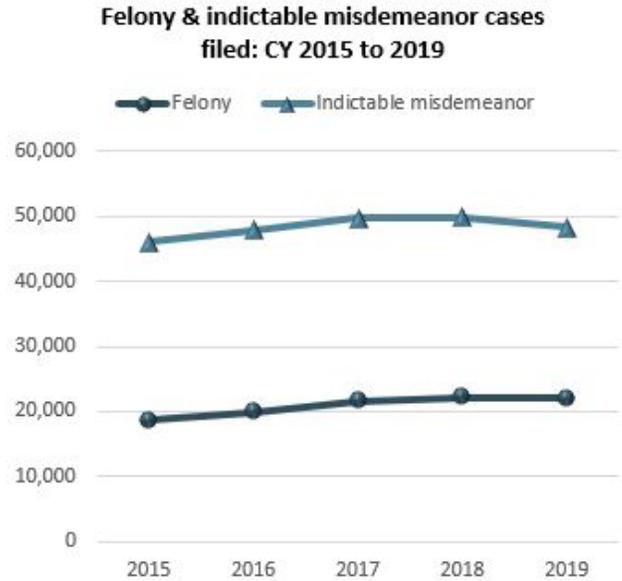
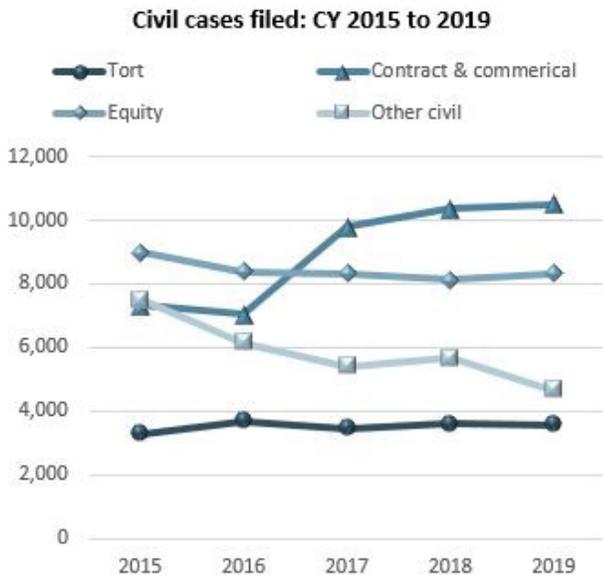
The authority of the five associate juvenile judges is limited to juvenile court matters, and the one associate probate judge in Iowa is limited to handling probate cases.

Iowa also has 146 judicial magistrates, who are part-time judicial officers (all other judges are full-time). Magistrates may also practice law in cases that do not come before magistrates in the magistrate's assigned county.

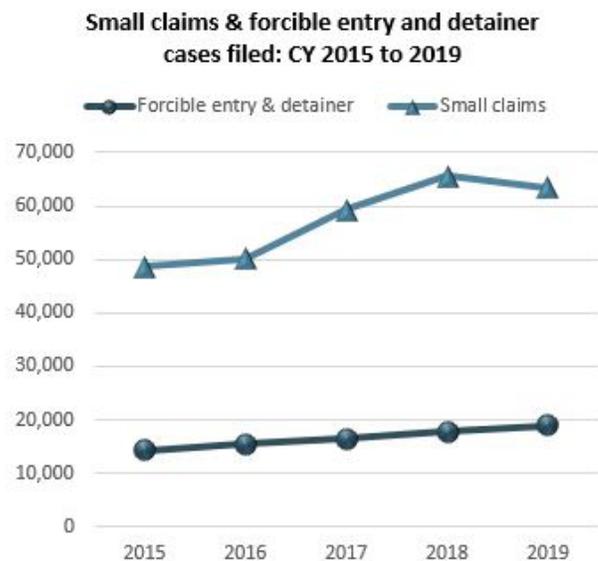
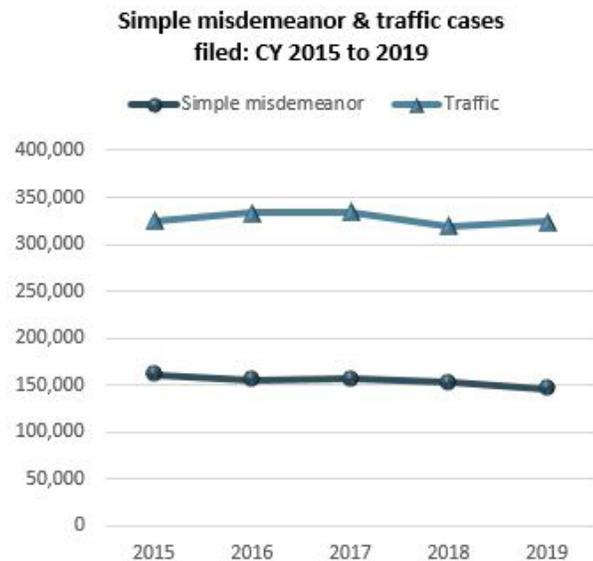
Magistrates have jurisdiction over simple misdemeanors, including scheduled violations; county and municipal infractions; small claims; and landlord-tenant claims. Magistrates have authority to handle initial appearances in all criminal cases, issue search warrants, conduct preliminary hearings, and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

During calendar year 2019, the district court received a total of 724,899 new or reopened cases and disposed of 721,872 cases.

District Court Caseload



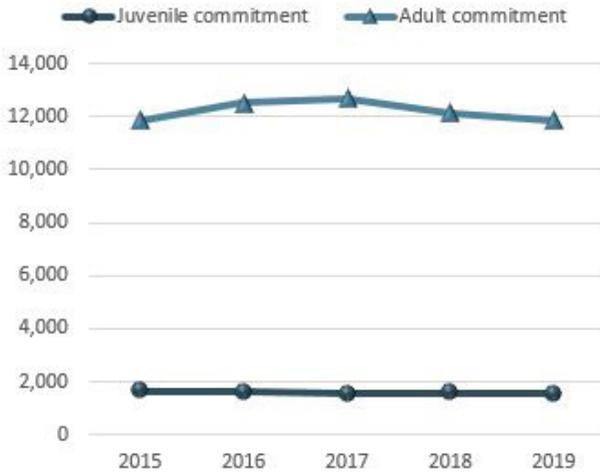
Over the last five years, there was a 43.2% increase in contract and commercial cases, which includes cases of fundamental importance to employers, creditors, debtors, and many others. Types of cases in this category include debt, fraud, employment, and contracts. During the same period, felony cases increased by 18.3% and indictable misdemeanor cases increased by 4.9%.



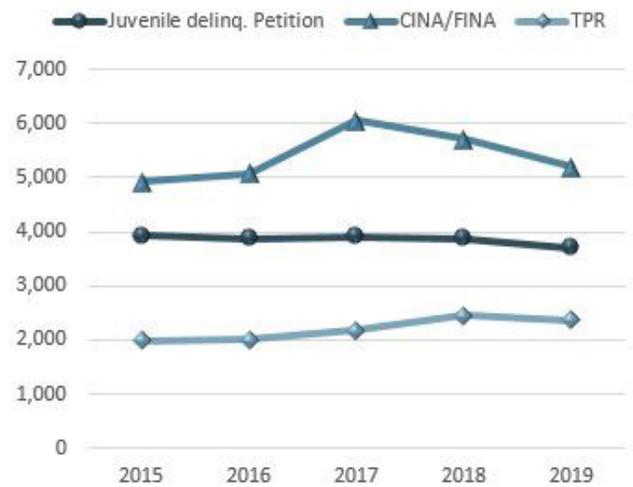
In 2019, there were 9.5% fewer simple misdemeanor cases filed as compared to 2018. Over the last five years, there was a 32.7% increase in forcible entry and detainer (eviction) cases and a 30.3% increase in small claims cases.

District Court Caseload

Adult and juvenile commitment petitions filed: CY 2015 to 2019



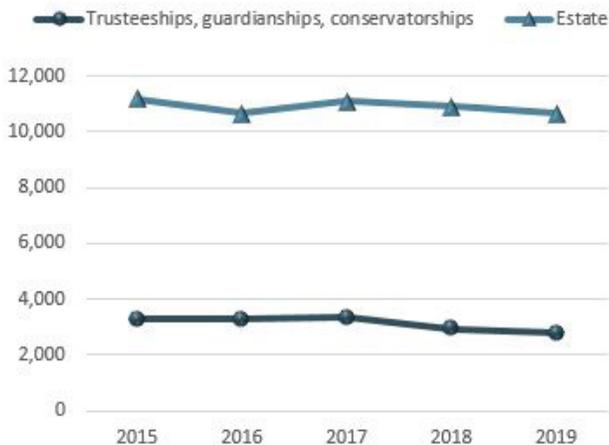
Juvenile delinquency & child welfare related filings: CY 2015 to 2019



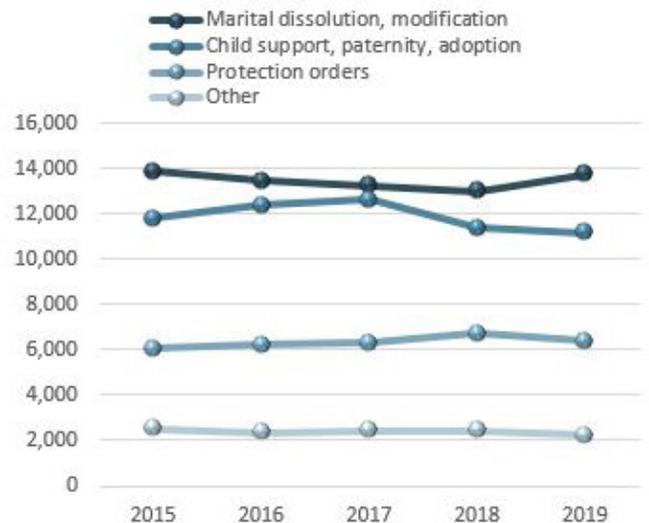
CINA: Child in need of assistance, FINA: Family in need of assistance, TPR: Termination of parental rights

From 2015 to 2019, adult mental health and substance abuse commitment petition filings remained unchanged while juvenile commitment petitions fell by 5.6%. Child or family in need of assistance petitions increased by 5.7%. Juvenile delinquency petitions were reduced by 5.6%.

Probate - trusteeships, guardianships, conservatorships, estates: CY 2015 to 2019



Domestic relations: CY 2015 to 2019



Over the last five years, probate case filings have remained consistent. Domestic relations case filing volume has also been fairly steady.

APPELLATE STRUCTURE AND CASE STATISTICS

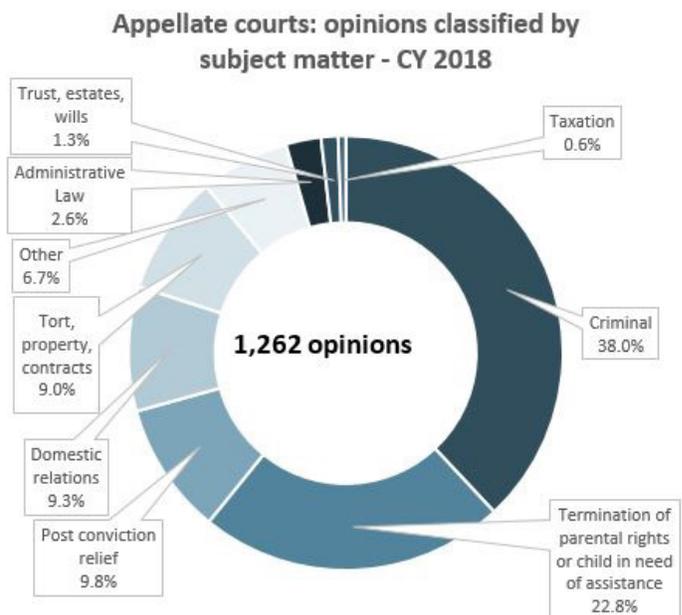
The Iowa Supreme Court. The Iowa Supreme Court is the highest court in the Iowa court system. Its opinions are binding on all other Iowa courts. It is composed of seven justices who are appointed by the governor from a list of three nominees selected by the State Judicial Nominating Commission. A justice must stand for retention election at the first general election following their appointment. If the justice receives a majority of “yes” votes, they may serve an eight-year term.

The Iowa Supreme Court has general appellate jurisdiction in both civil and criminal cases. As the constitutional head of the Iowa Judicial Branch, the supreme court has the authority to supervise the trial courts and all judicial officers and court employees and to prescribe rules of procedure. It also 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.

In Iowa, an appeal of a trial court action goes directly to the supreme court, which 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 of law, substantial issues about which there is not well-settled law, and cases involving fundamental or urgent issues of broad public importance.

The Iowa Court of Appeals. The Iowa Court of Appeals is an intermediate appellate court that hears appeals from district court decisions that have been transferred to the court of appeals by the supreme court. It is composed of nine judges who are appointed by the governor from a list of three nominees selected by the State Judicial Nominating Commission. A court of appeals judge must stand for retention election at the first general election following their appointment. If the judge receives a majority of “yes” votes, they may serve a six-year term.

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 Iowa Court of Appeals decides cases in rotating panels of three judges. A decision of the Iowa Court of Appeals is final unless reviewed by the Iowa Supreme Court on grant of further review. Though the court of appeals devotes most of its time to appeals, judges of the court of appeals are also called upon to participate in commissions, task forces, and other proceedings.



724,899

Number of cases filed or reopened in Iowa courts in calendar year 2019

\$177.6 million

Funds appropriated to the Iowa courts for fiscal year 2019

554,000,000

Number of "hits" returned for court record searches through Iowa Courts Online Search in calendar year 2019

\$146.9 million

Amount of revenue collected by the courts from fines and fees in calendar year 2018

245,109

Number of Iowa Court System external e-filing user accounts

\$9.72

Approximate net cost (funds appropriated minus revenue collected) per Iowa resident to operate Iowa's court system for fiscal year 2019

DEDICATION

The 2019 Annual Report of the Iowa Judicial Branch is dedicated to Chief Justice Mark Cady.



Chief Justice Mark Cady built his vision, to be the best court system in the country, on a foundation of six guiding principles: protect Iowa's children; provide full-time access to justice; operate an efficient, full-service court system; provide faster and less costly resolution of legal disputes; be open and transparent; and provide fair and impartial justice for all.

Chief Justice Cady passed away November 15, 2019, but his vision continues to guide the judicial branch. The principle of an open and transparent court is exemplified in the pages of this first Annual Report published by the Iowa Judicial Branch. This Annual Report was part of Chief Justice Cady's vision, and within these pages, Iowans will find many of his achievements and a road map to his goal of being the best court system in the country.

