

IOWA JUDICIAL BRANCH 2020 ANNUAL REPORT

**SERVING IOWA'S
COMMUNITIES DURING
A PANDEMIC**

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

Fairness

Accessibility

Integrity

Independence

Efficiency

Serving Iowa's Communities During a Pandemic

It is astounding to reflect on the last nine months and consider all the changes in the ways the courts provide services. In early March when the first positive COVID-19 tests were reported, our court system, which is historically grounded on face-to-face services and trials, suddenly needed to limit in-person services in order to mitigate the spread of the virus. Many restrictions were put in place and government buildings closed but, through it all, the court system did not shut down. All 101 clerks of court offices remained open for Iowans with emergency matters and our judicial officers conducted many court proceedings remotely.

Iowa courts were able to remain open and operating—safely—because of the dedication, support, and guidance of many people. Our judges utilized technology to hold court remotely. Clerks and their staff rotated shifts, some working from home to limit the possible spread of the virus and others working in the courthouses for emergencies and essential cases. Juvenile court officers found new ways to maintain meaningful supervision of the juveniles in their charge. And because most all of these new and vital ways to keep the judicial branch operating at maximum capacity required the use of technology, the Judicial Branch Information Technology professionals were around the state installing the tools needed to safely serve the public.

Your courts could not have provided these vital services without the support and cooperation of the attorneys and citizens who rely on the court system. Court users were faced with new technology yet remained patient while we worked through the glitches common in any new approach. We also benefited greatly from our longtime working relationships with the 99 county boards of supervisors who responded quickly as we coordinated our efforts to slow the spread of the virus.

We relied upon various experts to gather the information needed to provide a safe workplace for the public and our staff. Two diverse task forces—Jumpstart Jury Trials Task Force and Jumpstart Family Law Trials Task Force—reviewed the Centers for

Disease Control and Prevention recommendations, and worked with the University of Iowa College of Public Health, the Iowa Department of Public Health, county health departments, and a wide range of court users for guidance on safely resuming many in-person services and, for a short time, jury trials. In addition, we looked to the governor's office for the CARES Act funding used to purchase the personal protective equipment and technology needed to continue to offer court services to our friends and neighbors while doing all we could to reduce the spread of the virus.

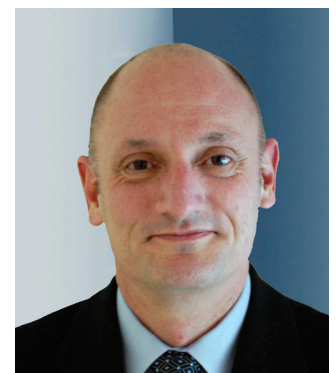
Through it all, a key to providing statewide court services was the public's ability to file court documents electronically and court staff's ability to manage the docket remotely. We are grateful for the legislature's long history of funding the technological infrastructure needed for electronic filing.

The judicial branch appreciates the support of all the people and organizations who answered the call when we most needed guidance. With that assistance and a dedicated workforce, your courts were able to face the crisis head-on and respond quickly to keep our courts open to the fullest extent possible while keeping our people safe and protecting our communities.



Susan Larson Christensen
Chief Justice

A handwritten signature in black ink, appearing to read "Susan Larson Christensen".



Todd Nuccio
State Court Administrator

A handwritten signature in black ink, appearing to read "Todd Nuccio".

IOWA COURTS PANDEMIC RESPONSE

MITIGATING COVID-19

Beginning in early March, the judicial branch was preparing to minimize the impact of COVID-19. In the span of just a few weeks, the planning effort transitioned into the need for immediate actions.

As the pandemic worsened and more information about the virus and how it could affect the courts became available, the Iowa Supreme Court issued orders to protect the public and court employees while keeping the courts as open and operational as possible. Between March 12 and November 24, nearly thirty supervisory orders were issued. Throughout, the supreme court communicated with Iowans through a dedicated page on the Iowa Judicial Branch website with COVID-19-related orders, news releases, updates, and information.

After Governor Reynolds signed an order prohibiting gatherings of more than ten people, the supreme court suspended most in-person court services beginning on March 17. With the guidance of experts, the supreme court developed detailed procedures and a schedule for resuming in-person court services and jury trials along with a list of priority cases and duties to guide judges, magistrates, and court staff in the scheduling, hearing, and handling of cases. PPE was acquired, courtrooms were updated with new technology and reconfigured to allow for physical distancing, and electronic displays were installed to reduce the need for physical contact with exhibits.

State court administration identified the equipment, technology, and services necessary to safely resume operations, submitted applications for grant funding to support these needs, developed processes to record and monitor expenditure of grant funds, and collected information from formal task forces and informal groups of employees and stakeholders to ensure that court safety measures work as intended.

The judicial branch anticipates the need to continue operating with a range of public health safety protocols in place for the foreseeable future. As such, efforts to monitor, refine, and improve public health measures in use by Iowa's courts will continue into 2021.



IOWA SUPREME COURT ORDERS IN RESPONSE TO COVID-19

MARCH–APRIL 2020

Supreme court postpones all new jury trials, keeps clerk of court offices open

“The Iowa Judicial Branch is instituting procedures to keep the courts open to the fullest possible extent while protecting public safety by mitigating the impact of coronavirus/COVID-19.”

Iowa Supreme Court Order, March 14, 2020

Supreme court allows new court procedures to slow the spread of COVID-19

“We must keep our courts open to the fullest extent for abused and neglected children, victims seeking protection, troubled youths, law enforcement, and families in crisis. Today’s order balances those needs with our concern for the health and wellbeing of our communities.”

Chief Justice Susan Christensen March 17, 2020

Supreme court applauds legal hotline, encourages Iowa lawyers to volunteer

“As Iowans’ need for legal information and services continues to grow, the Court strongly encourages each Iowa lawyer to volunteer. Everyone in the legal community has an interest and responsibility to ensure access to justice. Barriers undermine public trust and confidence in the courts.”

Chief Justice Susan Christensen, April 17, 2020

MAY–JUNE 2020

Supreme court orders new timeline to safely resume face-to-face court proceedings

“We know that people and families with pending cases are anxious to have their day in court, but we must first ensure that the public and court personnel have confidence that appropriate cautionary measures have been taken to protect their health when entering our courtrooms.”

Chief Justice Susan Christensen, May 22, 2020

Courts and counties approve a safety checklist for courthouses

“This checklist is a product of true collaboration between counties and the Judicial Branch. We are looking forward to opening courthouses back up for business in our communities, but we want to do so in a way that every employee is safe and every citizen can safely access the important services they offer.”

Iowa State Association of Counties President Burlin Matthews, June 10, 2020

JULY–SEPTEMBER 2020

Supreme court issues orders for guidance as courts resume face-to-face services

“It is so very important that Iowans feel comfortable returning to their courthouses for essential court services that must be done face-to-face.”

Chief Justice Susan Christensen, July 9, 2020

Supreme court issues policies and procedures for resumption of jury trials

“This is another measured next step as we resume more face-to-face court services throughout the state. Jury trials are guaranteed by the Constitution and are essential to providing justice for Iowans. These procedures are intended to protect the health and safety of our citizens as they resume their critical duties as jurors.”

Justice Matthew McDermott, July 22, 2020

OCTOBER–DECEMBER 2020

Iowa Supreme Court postpones jury trials until February 2021

“The courts compel citizens to serve on juries and Iowans consistently respond by doing their civic duty. With the current high rate of COVID-19 positive tests in the state, it is time to pause jury trials to protect public safety and mitigate the impact of the virus.”

Chief Justice Susan Christensen, November 10, 2020

COURTS MEETING COVID-19 CHALLENGES

IOWANS CAN SAFELY SERVE ON JURIES

After a six-month pause in jury trials, protocols recommended by the Jumpstart Jury Trials Task Force were in place for jurors to serve as safely as possible. Iowans involved in jury trials with the new safety protocols overwhelmingly reported feeling safe, having positive experiences, and appreciating the court's health protocols. Following a high rate of COVID-19 positive tests in Iowa, jury trials were postponed until February 2021.

RESOLVING FAMILY LAW CASES SAFELY

The Jumpstart Family Law Trials Task Force was charged with developing policies to protect the health and safety of Iowans involved in family law cases. Work of the task force led to: clarification of case priority rules to promote prompt case resolution, temporary mandatory mediation in most family law cases to narrow the scope of the case and ensure focus is placed on the relevant issues, and a requirement that judicial districts create informal family law trial programs to streamline traditional trials for cases involving less complicated factual circumstances.

COURTS LEVERAGE EXTERNAL FUNDING SOURCES

Safely providing court services in the midst of a pandemic requires substantial extra expenses to make in-person interactions safer and for technology to allow court services to be delivered remotely. The judicial branch secured \$6 million in CARES funding to meet these unexpected needs.

MAINTAINING PUBLIC ACCESS

Courtrooms around the state have been reconfigured to allow for physical distancing. To assist friends and family members unable to find an open seat in the courtroom to observe a trial, efforts are underway to create court viewing rooms in Iowa's courthouses. The rooms protect the right of public access and the transparency of court proceedings while helping to mitigate the spread of COVID-19.

SAFELY SERVING IOWANS DURING A PANDEMIC

Callers wishing to make a court payment by phone are more likely to reach a person promptly thanks to a new statewide payment call center. Two dozen court employees across the state are assigned to a payment call group. By routing calls to a dedicated unit, employees in courthouses can more efficiently complete their primary duties without periodic interruption to take payment calls.

**BETTER SERVICE
FOR IOWANS
MAKING
PAYMENTS BY
PHONE**

New technology will drastically reduce the need for multiple people to handle the same piece of evidence and also allow for jurors, attorneys, and parties to view evidence while keeping physical distance. Many Iowa courtrooms are being outfitted with advanced technology to allow for presentation of evidence through integrated audiovisual evidence systems.

**TECHNOLOGY
TO KEEP
IOWANS SAFE
IN COURT**

Within weeks of the arrival of COVID-19 in Iowa, gatherings of more than ten people was prohibited by Governor Reynolds. To safely continue services to the public, the supreme court allowed any party to a case to appear remotely by videoconference or telephone for many court procedures. After testing and evaluating different combinations of hardware, software, and online meeting technology, Iowa courts acquired licenses and equipment best suited to meet the needs of parties wishing to appear remotely.

**REMOTE
HEARING
SOFTWARE AND
HARDWARE**

Throughout the pandemic, the supreme court worked diligently to communicate with the public through a special page on the Iowa Judicial Branch website for COVID-19 related orders, news releases, resources for using videoconferencing, and helpful links to additional information. During the early months of the pandemic, the court began posting weekly updates to alert the public and members of the bar of any changes. Each supreme court order was emailed to more than thirty constituent organizations.

**TRANSPARENT
COURTS**

HELPING IOWA'S AT-RISK FAMILIES

A photograph of a woman with her hair pulled back, wearing a black and white striped long-sleeved shirt and a black headband. She is holding a young child with curly hair up in the air with both hands. The child is wearing a white t-shirt with a pattern of small blue rockets and blue jeans. The background is a bright, clear blue sky with some light clouds. The overall mood is joyful and positive.

Judges and juvenile court officers, working with our partners, are critical to helping children stay in their homes and with their families. The Family First Prevention Services Act (Family First) promotes early intervention for children and families in crisis and allows children to remain with their family while receiving the services and supports necessary for their safety and well-being.

Families in the Child Welfare System

Healthy families are an important part of healthy communities, and providing preventive services to parents in crisis before a child is removed from the home can have positive long-term effects. Studies show that in many cases the long-term trauma experienced by children removed from the home and into foster care may be worse than any trauma associated with staying in the home. Now many Iowa families in crisis will receive access to services sooner, before a child is removed from the home, rather than after the family is separated.

Under Family First, if the removal of a child from the home is necessary, placement with relative or fictive kin (family friend) must be considered first. Only if a child cannot be placed with a relative or fictive kin can a child be placed with a licensed foster family, and can only be placed in a group-care setting if treatment is required.

Families with children at imminent risk of out-of-home placement may receive prevention services that fall into three main categories:

Mental health and substance abuse prevention and treatment services provided by qualified clinicians.

In-home parent skill-based programs including parenting skills training, parent education, and individual and family counseling.

Kinship navigator programs to guide grandparents and other relatives and fictive kin who take primary responsibility for the care of children in need of a safe and stable placement.

The preventative services can continue for up to 12 months and may include mental health and substance abuse treatment or in-home parent skill-based programs.

If a judge determines a child must be removed from the home because the child needs special services and treatment, the child can be placed in a Qualified Residential Treatment Program (QRTP) for the time necessary to provide the needed services and treatment. If the court places a child in a QRTP, the court will monitor progress until the child is transitioned from treatment.

Either at the time of placement or beforehand, a family and permanency team, including the child, must be formed to work with a Licensed Practitioner in the Healing Arts (LPHA) to complete an initial clinical assessment. The assessment evaluates the child's strengths and needs utilizing an age-appropriate, evidenced-based, validated, functional process to determine the child's required level of care and must be completed within 30 days of placement.

For the assessment, the LPHA and family and permanency team use input from multiple sources, including: the child, all appropriate biological family members, relatives, fictive kin, applicable professionals who are a resource to the family (i.e. teachers, medical and mental health providers, or clergy), the Department of Human Services (DHS) case worker, and the guardian ad litem.

The court has 60 days following placement of the child to complete a judicial review to determine if the placement is appropriate.



The important balance between ensuring the safety of the child and keeping the family together was put into action by the “4 Questions, 7 Judges” pilot project. Seven Iowa judges participated in the project aimed at reducing the number of children unnecessarily removed from their family. In the project, the seven judges, when called upon by DHS for removal orders, asked the child welfare worker four questions. The questions were:

- 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?

Only after discussing these four questions with the DHS worker did the judge grant or deny the request to remove a child from the family.

The pilot project produced impressive results. Eighty-three requests for removal of children went to the seven judges. From those 83 requests, 44 were granted. A closer examination of the 44 removals reveals that over half of the children were placed with either biological or fictive kin. The remaining 15 went to licensed foster care.

A second program in Iowa that focuses on early preventive measures assigns an attorney to a family that has been identified by DHS as at-risk before any documents are filed in what otherwise would be the start of a child welfare case. The attorney can address issues such as housing, domestic violence, paternity, child support, and immigration that may be the root cause of the family’s crisis.

This parent representation project is a collaboration with the Iowa State Public Defender, Iowa Children’s Justice, DHS, the First Judicial District, the Iowa Judicial Branch, and Iowa Legal Aid. The project was initiated in 2014 with the goal of reducing the number of cases that are filed in juvenile court, the time children are removed from their parents, the number of families reentering the child welfare system, and help make families safer moving forward. The project provides a team of professionals comprised of a lawyer, a social worker, and a parent advocate to families to prevent the unnecessary placement of children in foster care or other out-of-home placements and reduce the barriers to family reunification. In 2019, the project assisted in closing 62 pre-filing cases and helped 118 children avoid court involvement.

Beginning July 1, 2020, the legislature granted the state public defender authority to establish pilot projects in up to six counties in Iowa to examine innovative methods of parental representation. The pilot projects are in Linn, Woodbury, Pottawattamie, Fayette, Appanoose, and Emmet counties.



Families in the Juvenile Justice System

Juvenile court officers conduct a face-to-face intake interview for every child under the supervision of the juvenile court. The officers look at factors such as family life, exposure to physical, emotional, and sexual abuse and neglect, school performance, previous history of problematic behavior, peers, mental health, substance abuse, employment, and attitude. The information gathered is used to determine if the child is a risk to reoffend, what services, if any, are needed, and the safety risk to the community, the family, and the child.

Any child that scores as a moderate or high-risk to reoffend and who is determined at imminent risk of foster care will be screened. If a child is determined a candidate for care based on the screening, a Child Prevention Case Plan will be completed with input from the child and family.

The Child Prevention Case Plan identifies the specific strengths, needs, and risk factors of the family and the child and includes treatment objectives and appropriate services. Following completion of the Child Prevention Case Plan, a Treatment Outcome Package (TOP) assessment will also be completed to assess a child's safety and well-being. The TOP enables the parent, child, and other individuals involved in the child's care to have a voice in the assessment process.

Juvenile court services has identified two family-based preservation services for youthful offenders who are involved with juvenile court services and are in imminent risk of foster care: Functional Family Therapy and Multi Systemic Therapy. Both are eligible for funding through Family First.

Functional Family Therapy uses a short-term, family-based therapeutic intervention for delinquent children and their families. Families work directly with trained practitioners for three to five months over the course of 12 to 14 sessions to reduce risk factors while increasing protective factors. The family therapy is both a preservation and intervention program designed for children with maladaptive behaviors.

The expected outcomes for Functional Family

Therapy include improved family functioning, reduced delinquent behavior, improved mental health, reduced child substance use, fewer out-of-home placements, and higher treatment completion rates. It is also shown to reduce recidivism, increase family stability, decrease trauma, and improve overall life outcomes for the child.

The second family preservation service, Multi Systemic Therapy, is an intensive community-based therapy for families of high-risk juvenile delinquents ages twelve to seventeen with possible substance abuse issues. A masters-level therapist provides services in the home for the child at convenient times for the family. Treatment typically lasts three to five months with the therapists "on-call" 24 hours a day, seven days a week. The therapist also works in the child's school, with the child's friends, and in the community to identify and address complex risk factors for the child.

There is a broad base of research on the effectiveness of Multi Systemic Therapy. Results, which have been replicated through numerous independent studies, show 54% fewer arrests for juvenile offenders and 54% fewer out-of-home placements. Communities in which the therapy was offered saw reductions in incarceration rates, mental health services, and crime rates.

Family First promotes early intervention for children and families in crisis and allows children to stay with their family while receiving the services and supports necessary for their safety and well-being. Judges, juvenile court officers, case workers, and providers are coming together to implement Family First in Iowa. The process has only begun and there will be more updates in next year's annual report.



PROBLEM SOLVING COURTS



Image: Cass County Courthouse

Keeping Families Together

The key to a successful recovery for participants in Iowa's 38 problem solving courts is regularly scheduled meetings and, at the end of the process, a graduation ceremony. Keeping the meetings moving forward while maintaining social distancing due to the pandemic has required flexibility, learning new technology, and creativity.

Problem solving 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 (county attorney and parents' or defense attorney), and private agency providers to address the underlying problems that have contributed to an individual's contact with the justice system. These courts require regular treatment team meetings with the individuals to empower them to break free from the grip of substance abuse and mental health issues.

Graduation from the program is a key part of the treatment because it is an opportunity for all the members of the team to celebrate the completion of a rigorous and intensive road to recovery. Graduation often leads to family reunification, a new job, and a return to the community instead of incarceration.

Once the COVID-19 safety restrictions were in place in Iowa courthouses, the teams began to search for new meeting places since many courtrooms were too small for social distancing. The Plymouth County Juvenile Drug Court found a location in the courthouse annex basement, while the Dubuque County Drug Court met outdoors during nice weather. Most teams now meet virtually by videoconference or teleconference, and many are accepting new participants as the programs continue to grow.

The Warren County Adult OWI Court was able to gather in a local park for graduation ceremonies in late July. But many of the graduations across the state have been virtual with friends and families of the graduate joining remotely to celebrate the accomplishment with the participant and team

members with the promise of an in-person ceremony once it is safe to gather again.

Moving meetings and ceremonies online has created new opportunities for team members and participants. As participants learn the technology and become comfortable with videoconferencing and going online, judges and coordinators can schedule additional interactions and keep in contact. A judge in Woodbury County created "Socially Distant Socials," and in Linn County a judge developed an online scavenger hunt. Access to the internet also provides participants with additional programs such as online parental training and webinars, or even "virtual visits" for parents when their children are placed outside the home during treatment.

The culmination of the year was the convening of a virtual statewide summit of Iowa problem solving court leaders, team members, and staff. The virtual summit was part of the first phase of a three-year grant-funded initiative to develop best practice standards. Participants were provided two full days of sessions from nationally recognized leaders.

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 courts have access.



THE FACES OF THE IOWA JUDICIAL BRANCH



Image: Iowa Judicial Branch Building

WHO WE ARE

IOWA'S COMMUNITY-BASED COURT SYSTEM

Iowa courts are accessible to all, including your friends and neighbors, to provide fair and impartial solutions to everyday problems. The district court in your county courthouse is where parties bring their disputes, prosecutors file criminal charges, trials take place, attorneys offer evidence, witnesses testify, juries deliberate, and judges enter judgments.

MAGISTRATES AND JUDGES

Magistrates and judges serve the public by using their legal expertise and knowledge to apply laws impartially.

- **Magistrates** preside over simple misdemeanors including traffic violations, county and municipal infractions, and small claims. They also issue search warrants, conduct preliminary hearings, and hear certain involuntary hospitalization matters.
- **Associate juvenile judges** hear juvenile court matters including juvenile delinquency, child in need of assistance, termination of parental rights, and adoptions.
- **District associate judges** have the jurisdiction of magistrates plus authority to hear serious and aggravated misdemeanor cases, class D felonies, certain civil suits, and juvenile cases when the judge is sitting as a juvenile judge.
- **District judges** have the authority to hear any type of case within the district court including felony criminal cases, dissolutions of marriage, personal injury cases, and business disputes.

COURT STAFF

To accomplish the judicial branch mission, judges, magistrates, and court employees work to provide a broad range of court-related services.

- **Clerks of court** manage and maintain all court records, collect and process fines, fees, and restitution, and transmit court information.
- **Juvenile court officers** work directly with troubled youths and their families to help at-risk Iowa youth become good and productive citizens.
- **Court administrators** manage the business-side of the courts, such as human resources, accounting, purchasing, case scheduling, and information technology.
- **Court reporters** keep the official record of hearings and court proceedings.
- **Information technology professionals** maintain the Iowa Courts Information System and the Electronic Document Management System for case management and electronic filing.
- **Law clerks and staff attorneys** assist judges and justices in research, case work, and screening cases.
- **Judicial specialists** provide customer assistance to a wide-range of court users and oversee the activities of jurors, facilitate courtroom proceedings, and help judges with administrative responsibilities.
- Other employees work side-by-side with their colleagues every day to fulfill and serve the needs of all Iowans.

IOWA SUPREME COURT JUSTICES



Front row, left to right: Justice Brent Appel, Chief Justice Susan Larson Christensen, Justice Thomas Waterman
Back row, left to right: Justice Dana Oxley, Justice Edward Mansfield, Justice Christopher McDonald, Justice Matthew McDermott

IOWA COURT OF APPEALS JUDGES



Front row, left to right: Judge Mary Tabor, Judge Anuradha Vaitheswaran, Chief Judge Thomas N. Bower, Judge Richard Doyle, Judge Michael R. Mullins
Back row, left to right: Judge Julie Schumacher, Judge David May, Judge Sharon Soorholtz-Greer, Judge Paul B. Ahlers

SERVING THEIR COMMUNITIES

Balancing work and family while trying to keep everyone safe was a challenge 2020. Judicial branch employees from around the state served their communities and helped those in need. Below are a few examples:

Brittany Raymond, a judicial specialist in Linn County, and her brother purchased a 3D printer to make face shields for nurses, doctors, firefighters, and others high-risk professionals. They sent the shields to people within Linn County and sent some to New York and Texas as well. Some of her coworkers donated to the effort and Brittany was able to send out about 200 shields in the first two weeks. Brittany also purchased gift cards for her friends who were nurses from a local business she knew were struggling. Finally, she began writing a newsletter when many of her coworkers started working from home as a way to keep people connected and give them something positive to read.

Michelle Edwards, a judicial specialist in Linn County, became active with an organization that worked with her church to provide gourmet-inspired meals using certified chefs during disasters. After the derecho went through Cedar Rapids the organization, Mercy Chef, provided free lunches and dinners to anyone in need of a meal. Michelle volunteered to do whatever was needed so she helped prep, package, and deliver meals. Michelle also organized a “SOCK DROP” to collect socks for the homeless. The collection was for children, men, and women. Linn and Johnson County courts collected more than 300 pairs of socks to donate to the Willis Dade Homeless Shelter.

Aimee Olthoff is a judicial specialist in Pocahontas County and member of the VFW Auxiliary in Fort Dodge. The VFW serves meals every month during the winter as a fundraiser for additional services to veterans in the community. During the pandemic, the VFW continued to offer meals to the community and sold out every meal this year. The biggest meal was the turkey dinner in November, which was the only holiday meal for many people. The volunteers wore masks and gloves and all the meals were prepared for pickup or delivery.

This year the **Third Judicial District Juvenile Court Services** food distribution was a drive-through. Juvenile court services staff, community service workers, and school liaisons had everything ready outside and the families in need drove up to pick up their boxes filled with meats, cereal, canned goods, and juices. Fourteen families were helped this year

The Webster County Family Treatment Court purchased household items needed by families in the program and delivered the items to the families’ doorsteps.

The Cass/Audubon Family Treatment Court made face masks for the parents and children in the program.

The Linn County Family Treatment Court team hosted a Thanksgiving to-go event for participating families due to the pandemic. Team members wanted to make sure the families participating in the program had a meal for the holiday, especially this year. The team also received funding from DECAT to purchase thermometers for participant families to monitor their health.

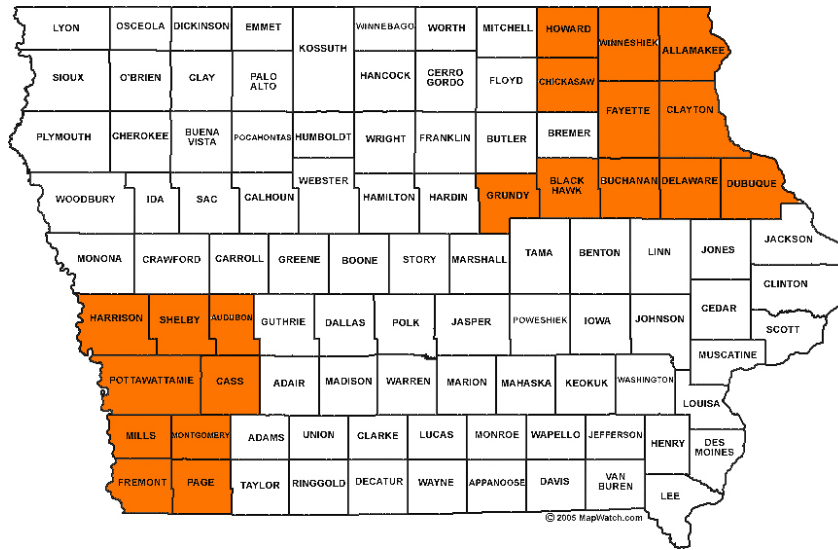
The Black Hawk County Family Treatment Court team has taken additional steps this year to ensure that the needs of parents and families are being met. Team members delivered meals and household items whenever the need arose.

COURT INNOVATIONS

DISTRIBUTIVE WORK PROCESSING



Image: Dallas County Clerk of Court Office



Distributive Work Processing Pilot Districts

Clerk of court offices in two of Iowa's eight judicial districts are in the midst of a pilot project to identify the efficiencies possible by distributing work responsibilities across county lines. The new opportunities became possible with the statewide implementation of eFiling and electronic document management. Clerks can now share similar work responsibilities in areas such as case processing, jury management, and financial duties.

As part of the Iowa Judicial Branch Rural Courts Initiative, the First Judicial District in northeast Iowa, and the Fourth Judicial District in southwest Iowa, are moving key responsibilities from county-specific operations to district-wide operations. This allows work to flow from county to county regardless of if the county is urban or rural. The district identifies a type of work that can be shared and finds experts in that area. Then, district teams are formed to do the work in that area for the entire district. A team of case management experts may be given access to all the district's county queues in order to assist in any backlog or case processing questions that may arise.

Both districts formed a team of jury processing experts to create and send out jury panels for the multiple individual counties, attend to jury details, and handle any juror issues that arise anywhere in the district so other clerks can work in their expert areas.

The goals of the pilot project are to achieve greater efficiency, ensure equitable distribution of work, balance workload across county boundaries, and create capacity to address workload fluctuations.

Pilot project findings include:

- Consistency in docketing has improved.
- Processing of certain case types has benefited from specialization of personnel.
- Segregation of duties for audit purposes has improved.
- More collaborative communication is occurring.
- Interpersonal relations among staff has improved.
- Even with some beneficial specialization occurring, employees gained a greater appreciation for the big picture and the full range of duties and functions.

ACCESS TO JUSTICE



Image: Carroll County Courthouse

Providing Services to Iowans

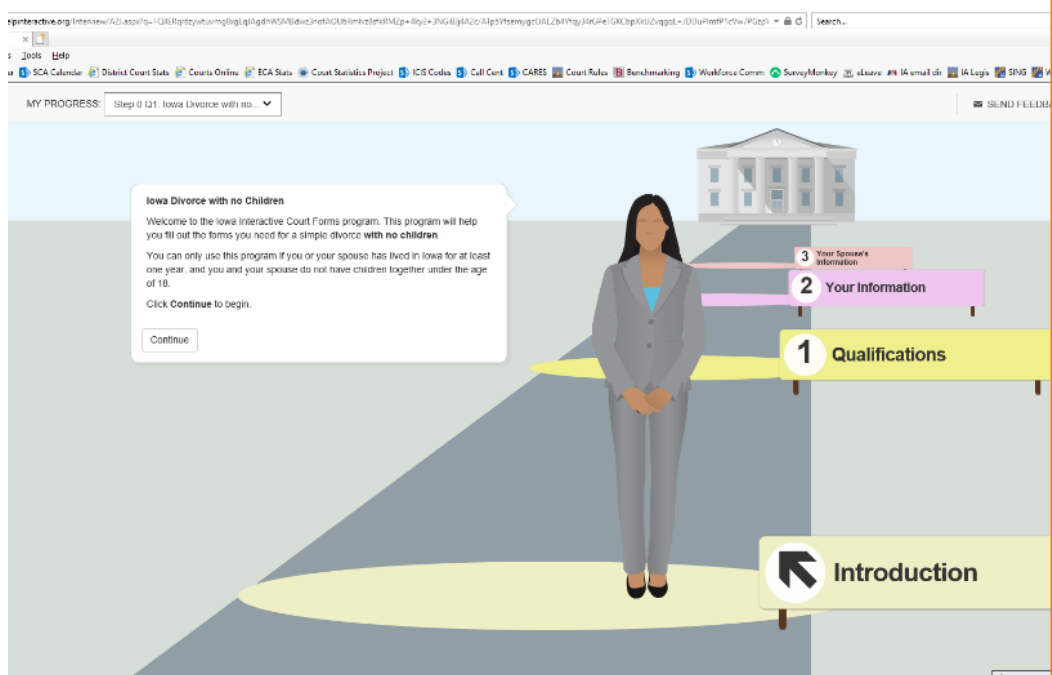
The Iowa Judicial Branch continually searches for new and innovative court services to meet the needs and expectations of all Iowans. Last year was no exception. The Iowa Access to Justice Commission recommended the judicial branch develop interactive court forms and Online Dispute Resolution (ODR) to promote access to justice and, in 2020, the courts initiated an easy question-and-answer process to complete certain court forms and launched a pilot online system to resolve traffic citations without visiting a courthouse.

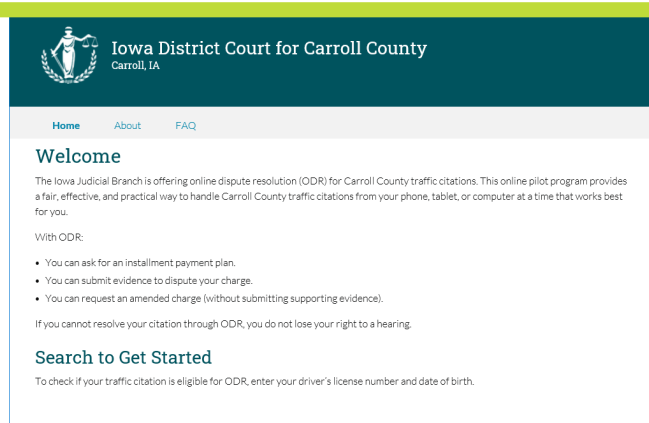
INTERACTIVE COURT FORMS

In January, Iowans began using free interactive court forms to file for a divorce with no minor children without the aid of an attorney. The online process prepares approved court forms to be used in legal proceedings based on the user's answers to easy step-by-step questions.

The questionnaire is available at the Iowa Judicial Branch website, and the user can create an account, save the answers, and complete the questionnaire from any computer or smartphone. The program assists users in preparing a petition for dissolution of marriage, an answer to a petition, financial affidavits, and a settlement agreement, among other documents that might be necessary to obtain a divorce that does not involve minor children. Once the questionnaire is completed, the user can sign and file the forms with the court.

In November, Iowans began using the same interactive process to complete the forms needed to file a small claims action.





ONLINE DISPUTE RESOLUTION

In Carroll County, people receiving a traffic citation can now dispute their citation or request a payment plan online. The pilot program is limited to traffic cases arising in Carroll County and offers a convenient and practical way to handle eligible traffic citations, saving time and the expense of missing work, paying for childcare, or paying for parking to go to court.

Online dispute resolution (ODR) is a convenient way to resolve court actions from a phone, tablet, or computer any time, day or night. In the pilot program, individuals issued traffic citations in Carroll County can communicate with the county attorney's office through the virtual platform and explore possible ways to resolve their court case. If a resolution can be reached, a court appearance is not required. If negotiations are not successful, individuals can still have their day in court.

With ODR, people can:

- Ask for an installment payment plan.
- Submit evidence to dispute a traffic charge.
- Request an amended charge.

Individuals looking for the program can find the link to the ODR page on the Iowa Judicial Branch website. Users can enter their driver's license number and date of birth to search for outstanding and eligible citations. Once found, the citations can be paid outright, a request can be made for a monthly payment plan, or the person can request that a county attorney review the citation. Cited individuals can dispute the citation by submitting a typed statement or other evidence of why the charge should be reduced or dismissed.

After reviewing the statement or evidence, the county attorney initiates an online exchange with the individual. The county attorney can approve an amended charge, dismiss the charge, agree to a payment plan, request more information, or decline to review the citation. If the cited individual agrees to the county attorney's offer, a judge completes the process by approving or denying the agreement. People who cannot resolve their citations through ODR do not lose their right to a hearing in court.

If successful, the judicial branch will expand the Carroll County pilot program statewide in counties where the county attorney agrees to participate in the program.

The interactive court forms and ODR are innovative ways to promote access to justice for individuals who cannot afford legal counsel or who choose to represent themselves in civil cases. The Access to Justice Commission continues to explore ways to best serve unrepresented Iowans with difficulties accessing the Iowa justice system.

STRUCTURE, JURISDICTION, AND CASE STUDIES

The Iowa 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.

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 spaces 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 69 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 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 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 2020, the district court received a total of 594,089 new or reopened cases and disposed of 576,417 cases.

District Court Caseload

Please note that the number of filings in 2020 are a reflection of conditions associated with COVID-19 and that they are an aberration in terms of historical patterns. Caution should be used in doing any trend analysis or drawing any conclusions from these figures.

As the chart following the filings tables will also show, a significant increase in the number of pending cases has developed during the Covid-19 period. This backlog will need to be addressed at the same time that filings are returning to historical norms.

Civil Cases Filed: CY 2016 to 2020					
	2016	2017	2018	2019	2020
Tort	2,949	2,920	2,909	2,847	2,732
Contract & commercial	7,030	9,796	10,363	10,493	8,102
Equity	8394	8312	8112	8327	5157
Other civil	6,864	5,948	6,360	5,420	3,794
TOTAL	25,237	26,976	27,744	27,087	19,785

Domestic Relations Cases Filed: CY 2016 to 2020					
	2016	2017	2018	2019	2020
Marital dissolution, modification	13,452	13,272	13,032	13,231	12,033
Child support, paternity, adoption	12,374	12,637	11,375	11,137	9,244
Protection orders	6,227	6,302	6,723	6,404	5,660
Other	2,372	2,435	2,427	2,849	2,694
TOTAL	34,425	34,646	33,557	33,621	29,631

Probate - Trusteeship, Guardianship, Conservatorship, Estate Cases Filed: CY 2016 to 2020					
	2016	2017	2018	2019	2020
Trusteeships, guardianships, conservatorships	3,281	3,349	2,925	2,418	1,719
Estate	10,652	11,073	10,900	10,681	11,398
TOTAL	13,933	14,422	13,825	13,099	13,117

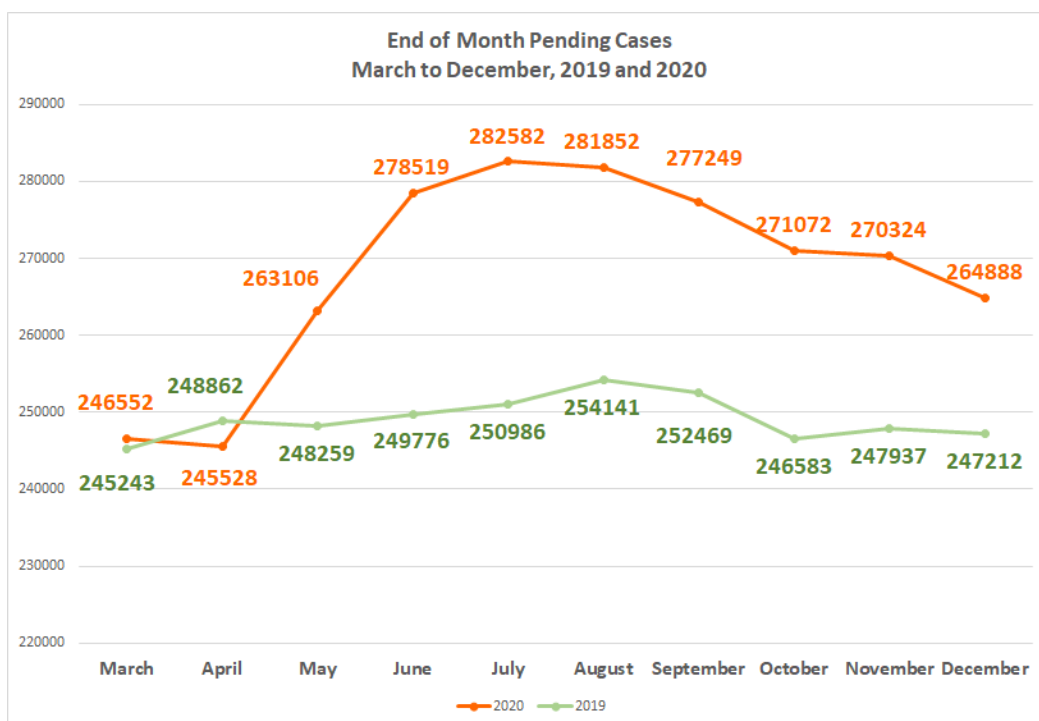
Juvenile Delinquency & Child Welfare Cases Filings: CY 2016 to 2020					
	2016	2017	2018	2019	2020
Juvenile delinq. petitions	3,864	3,903	3,877	3,696	2,912
CINA/FINA	5,080	6,042	5,701	5,185	3,918
TPR	1,998	2,181	2,450	2,356	1,944
TOTAL	10,942	12,126	12,028	11,237	8,774

Adult & Juvenile Commitment Petitions Filed: CY 2016 to 2020					
	2016	2017	2018	2019	2020
Juvenile commitment	1,615	1,524	1,584	1,536	1,129
Adult commitment	12,509	12,674	12,118	11,871	11,639
TOTAL	14,124	14,198	13,702	13,407	12,768

Simple Misdemeanor & Traffic Cases Filed: CY 2016 to 2020					
	2016	2017	2018	2019	2020
Simple misdemeanor	155,449	156,404	152,875	145,576	114,510
Traffic	333,034	334,381	319,261	323,708	264,261
TOTAL	488,483	490,785	472,136	469,284	378,771

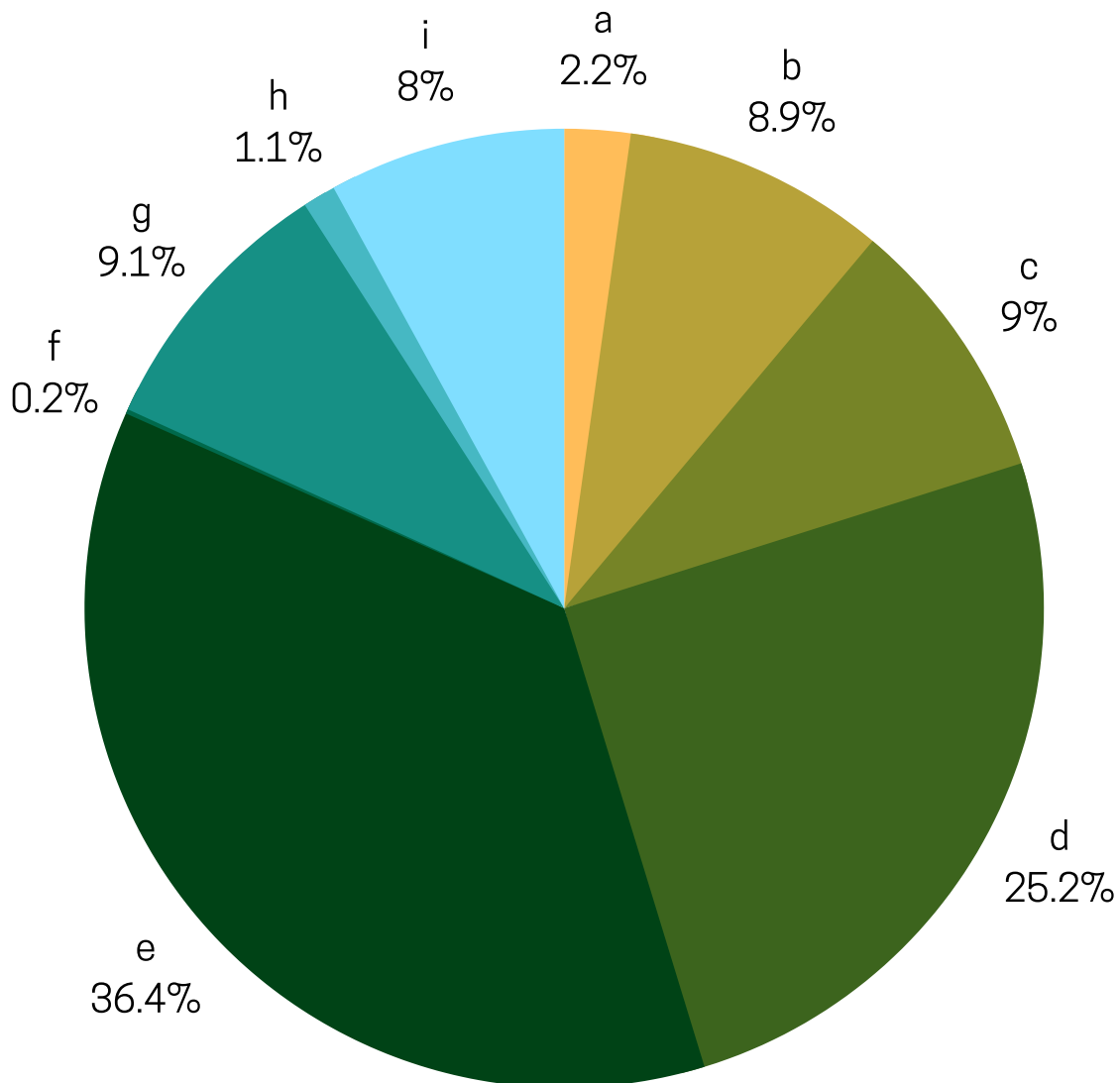
Indictable Criminal Cases Filed: CY 2016 to 2020					
	2016	2017	2018	2019	2020
Felony	19,852	21,600	22,167	22,093	20,273
Indictable misdemeanor	47,911	49,775	49,811	48,338	42,889
TOTAL	67,763	71,375	71,978	70,431	63,162

Small Claims & Forcible Entry and Detainer Cases Filed: CY 2016 to 2020					
	2016	2017	2018	2019	2020
Forcible entry & detainer	15,423	16,500	17,735	18,908	12,552
Small claims	50,177	59,254	65,552	63,438	48,779
TOTAL	65,600	75,754	83,287	82,346	61,331



APPELLATE COURTS OPINIONS

Appellate courts: Opinions classified by subject matter - CY2020



a. Administrative law

b. Tort, property, contracts

c. Domestic relations

d. Termination of parental rights or child in need of assistance

e. Criminal

f. Taxation

g. Post conviction

h. Trust, estates, wills

i. Other

The 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, 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 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.

The 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.



McGrew v. Otoadese

Unlisted

42 views · Streamed live on Dec 8, 2020

LIKE DISLIKE SHARE SAVE ...



THE IOWA JUDICIAL BRANCH 2020 ANNUAL REPORT

SUBSCRIBE

Image: Iowa Court of Appeals Virtual Oral Argument