



**REPORT OF THE
IOWA ATTORNEY GENERAL
2009-2010**

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ATTORNEYS GENERAL OF IOWA

Name	Home County	Served Years
David C. Cloud	Muscatine	1853-1856
Samuel A. Rick	Mahaska	1856-1861
Charles C. Nourse	Polk	1861-1865
Isaac L. Allen	Tama	1865-1866
Frederick E. Bissell	Dubuque	1866-1867
Henry O'Connor	Muscatine	1867-1872
Marsena E. Cutts	Mahaska	1872-1877
John F. McJunkin	Washington	1877-1881
Smith McPherson	Montgomery	1881-1885
A.J. Baker	Appanoose	1885-1889
John Y. Stone	Mills	1889-1895
Milton Remley	Johnson	1895-1901
Charles W. Mullan	Black Hawk	1901-1907
Howard W. Byers	Shelby	1907-1911
George Cosson	Audubon	1911-1917
Horace M. Havner	Iowa	1917-1921
Ben J. Gibson	Adams	1921-1927
John Fletcher	Polk	1927-1933
Edward L. O'Connor	Johnson	1933-1937
John H. Mitchell	Webster	1937-1939
Fred D. Everett	Monroe	1939-1940
John M. Rankin	Lee	1940-1947
Robert L. Larson	Johnson	1947-1953
Leo A. Hoegh	Lucas	1953-1954
Dayton Countryman	Story	1954-1957
Norman A. Erbe	Boone	1957-1961
Evan Hultman	Black Hawk	1961-1965
Lawrence F. Scalise	Warren	1965-1967
Richard C. Turner	Pottawattamie	1967-1979
Thomas J. Miller	Clayton	1979-1991
Bonnie J. Campbell	Polk	1991-1995
Thomas J. Miller	Clayton	1995-

**PERSONNEL OF THE
ATTORNEY GENERAL'S OFFICE**

PERSONNEL 2009-2010

ADMINISTRATIVE SERVICES

Thomas J. Miller, 1-79-1/91, 1/95 Attorney General
JD, Harvard, 1969

Mark E. Schantz, 1/10 Solicitor General
LLB, Yale University, 1969

Tam B. Ormiston, 8/89 Deputy Attorney General
JD, Iowa, 1974

Julie F. Pottorff, 7/79 Deputy Attorney General
JD, Iowa, 1978

Eric J. Tabor, 9/95 Deputy Attorney General
JD, Iowa, 1980

Thomas H. Miller, 10/85 Deputy Attorney General
JD, Iowa, 1975

Jeffrey S. Thompson, 6/08 Deputy Attorney General
JD, Houston Law Center, 1992

Matthew L. Gannon, 3/07 Assistant Attorney General
JD, Iowa 1998

Robert H. Sand, 9/10 Assistant Attorney General
JD, Iowa, 2010

Robert P. Brammer, 11/78 - 6/10 Executive Officer

William C. Roach, 9/95 - 4/10 Executive Officer

Geoffrey L. Greenwood, 6/10 Executive Officer

Karen A. Redmond, 10/80 Executive Officer

Julie Robinson Muckler, 7/06 Executive Officer

John W. Hugg, 2/99 ITS Specialist

John N. Boccella, 2/98 ITS Specialist

Kelsey L. Hannam, 8/10 Paralegal

Vicki A. Bahe, 12/07 HR Associate

Jane Ambrozic, 10/76 Executive Secretary

Cathleen M. White, 2/89 Training Officer

Joelyn L. Gast, 4/06 - 6/10 Investigator

Jody R. Watson, 6/10 Paralegal

Colleen F. Baker, 1/92 Legal Secretary

Grace Armstrong, 7/89 Accounting Clerk

Rebecca E. Crawford, 9/04 Clerk

Deborah A. Humphrey, 11/08 Receptionist

AREA PROSECUTIONS

Scott Brown, 8/97 Division Director
JD, Oklahoma City University, 1991

Virginia D. Barchman, 10/86 - 6/10 Assistant Attorney General
JD, Iowa, 1979

Daniel R. Burstein, 9/10 Assistant Attorney General
JD, Iowa, 2004

Douglas D. Hammerand, 8/96 Assistant Attorney General
JD, Drake, 1989

James E. Kivi, 2/80 - 12/09 Assistant Attorney General
JD, Iowa, 1975

Thomas E. Noonan, 6/89 Assistant Attorney General
JD, Iowa, 1982

Charles N. Thoman, 7/84 Assistant Attorney General
JD, Creighton, 1976

Robert J. Glaser, 7/86 - 4/10 Assistant Attorney General
JD, Creighton, 1978

Denise A. Timmins, 10/99 Assistant Attorney General
JD, Drake, 1997

Laura M. Roan, 8/06 Assistant Attorney General
JD, Drake, 1991

Andrew B. Prosser, 8/00 Assistant Attorney General
JD, Drake, 1985

Becky S. Goetsch, 9/06 Assistant Attorney General
JD, Iowa, 1994

Susan R. Krisko, 7/08 Assistant Attorney General
JD, Ohio Northern, 1996

Charles Roderick Reynolds, 5/04 Assistant Attorney General
JD, Iowa 1984

John B. McCormally, 4/08 Assistant Attorney General
JD, Iowa, 2007

Shawn S. Wehde, 11/99 - 2/10 Assistant Attorney General
JD, Iowa, 1986

Emily K. Nydle, 6/89 - 10/10 Assistant Attorney General
JD, Iowa, 2004

Nicole M. Proesch, 4/06 Assistant Attorney General
JD, Drake, 2004

Melisa K. Zaehring, 1/06 - 1/10 Assistant Attorney General
JD, Washburn, 2000

Lisa C. Williams, 3/10 Assistant Attorney General
JD, Iowa, 2004

Candis J. Lockard, 10/97 Investigator

Michael J. Ferjak, 8/98 Investigator

Connie L. Lee, 12/76 Legal Secretary

Sonya M. Sellmeyer, 9/06 Paralegal

CIVIL RIGHTS

Teresa M. Baustian, 4/81 Assistant Attorney General
JD, Iowa, 1979

CONSUMER ADVOCATE

John R. Perkins, 10/01 - 6/10 Consumer Advocate
JD, Iowa, 1968

Jennifer Easler, 5/96 Utility Attorney
JD, Drake, 1993

Jack Dwyer, 1/97 Utility Attorney
JD, Iowa, 1969

Craig Graziano, 4/99 Utility Attorney
JD, Drake, 1975

Alice Hyde, 1/80 Utility Attorney
JD, Iowa, 1978

Ron Polle, 8/80 Utility Attorney
JD, Drake, 1979

Ben Stead, 8/81 Utility Attorney
JD, Kansas, 1974

Gary Stewart, 7/74 - 6/10 Utility Attorney
JD, Iowa, 1974

Mark Condon, 7/82 Utility Specialist

Fasil Kebede, 3/87 Utility Specialist

Shelia Parker, 6/88 Utility Specialist

Brian Turner, 7/82 Utility Specialist

Gregory Vitale, 8/85 - 4/10 Utility Specialist

J. Frank Bodine, 6/10 Utility Specialist

Blake J. Kruger, 6/10 Utility Analyst

Marcos Y. Munoz, 6/10 Utility Analyst

Joyette Henry, 4/88 - 6/10 Senior Utility Analyst

Khosrow Khojasteh, 4/96 Senior Utility Analyst

Xiaochuan Shi, 3/90 Utility Reg Engineer

Charles Fuhrman, 9/81 - 6/10 Utility Administrator

Ann, Kreager, 11/84 Secretary

Karen Goodrich-Finnegan, 7/76 Secretary

Kristine S. Koch, 12/06 Advanced Typist

CONSUMER PROTECTION

William L. Brauch, 7/87 Division Director
JD, Iowa, 1987

Steven M. St. Clair, 5/87 Assistant Attorney General
JD, Iowa, 1978

Benjamin E. Bellus, 3/97 Assistant Attorney General
JD, Drake, 1991

Jessica J. Whitney, 10/04 Assistant Attorney General
JD, Michigan, 2002

Patrick T. Madigan, 4/04 Assistant Attorney General
JD, Iowa, 1998

Julia S. Kim, 9/08 Assistant Attorney General
JD, Wisconsin, 2003

Robert H. Meyers, 10/07 - 8/09 Assistant Attorney General
JD, St. Thomas, 2007

Kasey W. Kincaid, 5/08 - 6/09 Assistant Attorney General
JD, Drake, 1980

Debra A. Moore, 12/84 Executive Officer

Susan M. Kerr, 9/95 Investigator

Holly G. Merz, 10/88 Investigator

Stephen E. Switzer, 12/89 Investigator

Alberto Perales, 11/06 Investigator

Martha L. Robovsky, 6/07 Investigator

Kimberley S. Falzbot, 12/09 Investigator

Janice M. Bloes, 3/78 - 8/09 Administrative Assistant

Katherine N. M. Gray, 3/84 Legal Secretary

Helen K. Alessio, 9/01 Legal Secretary

Anna M. Cimino, 9/04 Secretary/Receptionist

Rickie Wickersham, 4/04 Secretary/Receptionist

CRIME VICTIM ASSISTANCE

Martha J. Anderson, 7/89 Program Director

Robert H. Wheeler, 3/05 - 10/09 Executive Officer

Kristi L. Hill, 12/97 Accountant

Donna J. Phillips, 6/02 Program Planner

Amy M. Terrell, 9/06 Program Planner

Anne K. Thomas, 9/00 Program Planner

Janelle M. Melohn, 9/06 Program Planner

Shonna K. Swain, 5/81 Investigator

Kimberly J. Kluxdal, 9/00 Investigator

Nicole D. Beauford, 3/01	Investigator
Mary K. Bartine, 11/01	Investigator
Kirstin R. Isenhardt, 2/01	Investigator
Melissa J. Miller, 1/88	Investigator
Ruth C. Walker, 2/79	Investigator
Charles R. Grigsby, 8/03	Investigator
Lisa M. Bickelhaupt, 8/03	Investigator
Stacey A. Anderson, 9/98	Investigator
Monica A. VandenBranden, 3/07	Investigator
Jennifer S. Stimson, 8/07	Investigator
Aaron W. Koch, 7/07	Investigator
Nicle M. Romer, 10/10	Investigator
Cathleen L. Rimathe, 8/78 - 12/09	Investigator
Grace M. Armstrong, 7/89	Accounting Clerk
Sharon K. Sherrill, 4/99-9/08, 10/10	Legal Secretary
Edith M. Omlie, 6/89 - 4/10	Legal Secretary
Patricia Washington, 12/04 - 11/09	Legal Secretary
Sonja M. Morris, 4/10 - 8/10	Legal Secretary
Kelsi A. Kautzky, 4/10	Legal Secretary
Natasha R. Drake, 10/08 - 9/09	Legal Secretary
Rebecca Crawford, 9/04	Secretary/Receptionist

CRIMINAL APPEALS

Mary E. Tabor, 8/93 - 5/10	Division Director
JD, Iowa, 1991	
Kevin R. Cmelik, 10/98	Division Director
JD, Drake, 1986	
Bridget A. Chambers, 2/90	Assistant Attorney General
JD, Iowa, 1985	
Richard J. Bennett, 6/86	Assistant Attorney General
JD, Iowa, 1978	
Martha E. Trout, 7/91	Assistant Attorney General
JD, Notre Dame, 1991	
Karen B. Doland, 7/90 - 1/10	Assistant Attorney General
JD, Iowa 1989	
Sharon K. Hall, 7/96	Assistant Attorney General
JD, Drake, 1993	
Sheryl A. Soich, 2/88	Assistant Attorney General
JD, Drake, 1987	
Thomas S. Tauber, 7/89	Assistant Attorney General
JD, Drake, 1989	

Jean C. Pettinger, 10/97 Assistant Attorney General
 JD, Iowa, 1994

Thomas W. Andrews, 3/99 Assistant Attorney General
 JD, Yale, 1989

Cristen Gale Douglas, 7/90 -12/09 Assistant Attorney General
 JD, Gonzaga, 1978

Darrel L. Mullins, 8/98 Assistant Attorney General
 JD, Colorado, 1996

Linda J. Hines, 10/98 Assistant Attorney General
 JD, Wisconsin, 1992

Reynoldson, Elisabeth S., 1/07 Assistant Attorney General
 JD, Iowa 1992

Kyle P. Hanson, 8/08 Assistant Attorney General
 JD, Drake, 2008

Christy J. Fisher, 1/67 - 3/10 Administrative Assistant

Mary L. Robertson, 3/92 Legal Secretary

Elizabeth A. Dickey, 3/08 Legal Secretary

Kristle A. Finck, 12/04 Legal Secretary

ENVIRONMENTAL LAW

David R. Sheridan, 5/87 Division Director
 JD, Iowa, 1978

Timothy D. Benton, 7/77 Assistant Attorney General
 JD, Iowa, 1977

David L. Dorff, 4/85 Assistant Attorney General
 JD, Drake, 1982

David S. Steward, 7/99 Assistant Attorney General
 JD, Drake, 1994

Jacob J. Larson, 8/08 Assistant Attorney General
 JD, Iowa, 2008

Richard C. Heathcote, 9/89 Investigator

Cynthia L. Jacobe, 8/84 Legal Secretary

FARM DIVISION

Stephen E. Reno, 7/89 - 12/09 Assistant Attorney General
 JD, Drake, 1981

Stephen M. Moline, 7/90 Assistant Attorney General
 JD, Iowa, 1986

Marc A. Wallin, 3/00 Investigator

LICENSING AND ADMINISTRATIVE LAW

Pamela D. Griebel, 4/91 Division Director
JD, Iowa, 1977

Heather L. Adams, 7/94 Assistant Attorney General
JD, Iowa, 1994

Grant K. Dugdale, 5/91 Assistant Attorney General
JD, Iowa, 1987

Scott M. Galenbeck, 1/84 Assistant Attorney General
JD, Iowa, 1974

Jeffrey C. Peterzalek, 12/03 Assistant Attorney General
JD, Iowa 1989

Theresa O. Weeg, 10/81 Assistant Attorney General
JD, Iowa, 1981

Chantelle C. Smith, 3/00 Assistant Attorney General
JD, Iowa, 1998

Jeffrey W. Nelson, 8/00 Assistant Attorney General
JD, Iowa, 1987

Jeanie K. Vaudt, 10/98 Assistant Attorney General
JD, Drake, 1991

John R. Lundquist, 4/99 Assistant Attorney General
JD, Iowa, 1997

Shauna R. Shields, 11/98 Assistant Attorney General
JD, Iowa, 1994

Emily Kimes-Schwiesow, 5/01 - 4/10 Assistant Attorney General
JD, Drake, 2001

David Van Compernelle, 3/06 Assistant Attorney General
JD, Iowa, 1999

Kristin W. Ensign, 10/88 Assistant Attorney General
JD, Drake, 1983

Susan J. Hemminger, 8/06 Assistant Attorney General
JD, Iowa, 1979

Julie J. Bussanmas, 9/07 Assistant Attorney General
JD, Drake 2005

Matthew T. Oetker, 10/08 Assistant Attorney General
JD, Drake, 1999

Adam P. Humes, 11/08 Assistant Attorney General
JD, Iowa 2007

Sara M. Scott, 7/10 Assistant Attorney General
JD, Iowa, 1999

Meghan L. Gavin, 9/10 Assistant Attorney General
JD, Iowa, 2006

September M. Lau, 7/10 Assistant Attorney General
JD, New York, 2009

Roxanna Dales, 9/89 Legal Secretary
 Ruth Manning, 9/89 - 6/10 Legal Secretary
 Valerie S. Naset, 2/98 Legal Secretary
 Lisa A. Wittmus, 9/07 Legal Secretary

PROSECUTING ATTORNEYS TRAINING COUNCIL

Corwin R. Ritchie, 9/00 Division Director
 JD, Iowa, 1975
 Peter J. Grady, 1/95 Assistant Attorney General
 JD, Iowa, 1984
 Kevin B. Struve, 7/86 - 12/09 Assistant Attorney General
 JD, Iowa, 1979
 Michael L. Bennett, 9/05 Assistant Attorney General
 JD, Iowa, 1992
 Richard J. Early, 9/06 - 6/09 Assistant Attorney General
 JD, Drake, 1980
 Peggy L. Bowman, 9/94 Administrative Assistant
 Susan K. Apple, 9/96 Legal Secretary

REGENTS AND HUMAN SERVICES

Diane Stahle, 10/04 Division Director
 JD, Iowa, 1979
 George A. Carroll, 2/98 Assistant Attorney General
 JD, Iowa, 1985
 Jordan G. Esbrook, 10/08 Assistant Attorney General
 JD, Iowa 2006
 Daniel W. Hart, 7/85 Assistant Attorney General
 JD, Iowa, 1983
 Charles K. Phillips, 8/84 Assistant Attorney General
 JD, Columbia, 1982
 Bruce L. Kempkes, 4/94 Assistant Attorney General
 JD, Iowa, 1980
 Mary K. Wickman, 8/89 Assistant Attorney General
 JD, Iowa, 1986
 Barbara E. Galloway, 3/91 Assistant Attorney General
 JD, Iowa, 1976
 Kathrine Miller-Todd, 1/85 Assistant Attorney General
 JD, Wake Forest, 1974
 Tabitha J. Gardner, 6/98 Assistant Attorney General
 JD, Drake, 1999
 Janet L. Siegel, 8/94 Assistant Attorney General
 JD, Iowa, 1990

Paul F. Kraus, 8/04 Assistant Attorney General
JD, Iowa, 2004

James B. Horn, 11/04 Assistant Attorney General
JD, Drake, 1994

Gretchen E. Kraemer, 12/06 Assistant Attorney General
JD, Villanova, 1999

Mark J. Schouten, 6/04 Assistant Attorney General
JD, Iowa, 1978

Kristi A. Taynor, 6/07 Assistant Attorney General
JD, Iowa, 1998

Patricia R. Hemphill, 2/83 Assistant Attorney General
JD, Drake, 1981

Kevin E. Kaufman, 4/96 Assistant Attorney General
JD, Creighton, 1986

Mark A. Haverkamp, 6/78 - 4/10 Assistant Attorney General
JD, Creighton, 1976

Michael J. Parker, 7/91 Assistant Attorney General
JD, Drake, 1989

Tamara A. Lorenz, 5/96 Assistant Attorney General
JD, Drake, 1991

Christina F. Hansen, 3/91 Assistant Attorney General
JD, Drake, 1987

William J. Jacobs, 3/01 Assistant Attorney General
JD, New York, 1991

Wayne J. Bergman, 1/01 Assistant Attorney General
JD, Iowa, 1995

Melissa L. Gross, 7/98 Assistant Attorney General
JD, Iowa, 1996

Jennifer L. Bennett, 9/03 Assistant Attorney General
JD, South Dakota, 1995

Jade C. Havermann, 1/04 Assistant Attorney General
JD, Iowa, 1997

Robert J. Forrest, 6/04 Assistant Attorney General
JD, Arkansas, 1996

Gary J. Otting, 6/04 Assistant Attorney General
JD, Minnesota, 1989

William A. Pepper, 4/04 Assistant Attorney General
JD, Iowa, 1996

Richard D. Arnold, 10/04 Assistant Attorney General
JD, Creighton, 2002

Amy M. Myres, 11/04 Assistant Attorney General
JD, South Dakota, 2003

Justin D. Walker, 9/04 Assistant Attorney General
JD, Nebraska, 2002

Scott M. Heckart, 5/05 Assistant Attorney General
 JD, Drake, 2004

Cindy M. Herring, 8/05 Assistant Attorney General
 JD, Iowa, 2004

James A. Lally, 5/06 - 6/09 Assistant Attorney General
 JD, Drake, 1978

Justin D. Nelson, 7/06 - 5/10 Assistant Attorney General
 JD, Thomas M. Cooley, 2004

Onita S. Mohr, 12/06 Assistant Attorney General
 JD, Iowa, 1987

Cheri L. Cummings, 3/06 Assistant Attorney General
 JD, Iowa, 2005

Jennifer S. Allison, 7/06 Assistant Attorney General
 JD, Iowa, 1996

Benjamin J. Smith, 5/05 - 4/10 Assistant Attorney General
 JD, Drake, 2006

Sarah J. Bradley, 7/07 - 1/09 Assistant Attorney General
 JD, Arizona, 2005

Stephan A. Brannen, 3/07 Assistant Attorney General
 JD, Creighton, 1979

Valerie L. Clay, 7/08 Assistant Attorney General
 JD, Maryland, 2006

Erin S. Eastman, 2/08 Assistant Attorney General
 JD, Drake, 2004

Kent W. Lewis, 7/08 Assistant Attorney General
 JD, Drake, 1975

Corenne M. Liabo, 7/08 Assistant Attorney General
 JD, Drake, 1980

Sherri S. Martin, 7/08 Assistant Attorney General
 JD, Iowa, 1987

Kara L. Minnihan, 11/08 Assistant Attorney General
 JD, Thomas Jefferson, 2003

Shannon L. Pagel, 5/07 Assistant Attorney General
 JD, Hamline, 2001

Shea M. Schreiber, 2/07 Assistant Attorney General
 JD, Drake, 2005

Merry C. Wiseman, 7/08 Assistant Attorney General
 JD, Iowa, 1977

Melanie S. Bauler, 8/10 Assistant Attorney General
 JD, Thomas M. Cooley, 2006

Maureen Cosgrove-Kajewski, 7/10 Assistant Attorney General
 JD, Hamline University School of Law, 2009

Elena M. Greenberg, 4/10 Assistant Attorney General
 JD, Drake, 2009

Julie Carver Hunter, 6/10 Assistant Attorney General
 JD, Tennessee, 2001

Tamra J. Roberts, 10/09 Assistant Attorney General
 JD, William Mitchell College of Law, 2009

David G. Wierman, 1/09 Assistant Attorney General
 JD, South Dakota, 2008

Terra K. Wood, 8/09 Assistant Attorney General
 JD, Iowa 2005

Rhonda E. McLaughlin, 11/01 Paralegal

Betty Christensen, 7/99 Legal Secretary

Cheryl A. Smith, 10/04 Legal Secretary

Melissa J. Mincks, 10/07 Legal Secretary

Brandy L. Campbell-Patrick, 7/10 Legal Secretary

REVENUE

Donald D. Stanley, Jr., 10/00 Division Director
 JD, Drake, 2000

James D. Miller, 10/86 Assistant Attorney General
 JD, Drake, 1977

Marcia E. Mason, 7/82 Assistant Attorney General
 JD, Iowa, 1982

Valencia V. McCown, 6/83 Assistant Attorney General
 JD, Iowa, 1983

Bridget K. Leo, 10/08 Assistant Attorney General
 JD, Drake, 2008

Connie M. Larson, 6/89 Legal Secretary

SPECIAL LITIGATION

Scott J. Idleman, 9/05 - 4/10 Division Director
 JD, Whittier, 1993

Greg H. Knoploh, 5/87 Assistant Attorney General
 JD, Iowa, 1978

Joanne L. Moeller, 8/84 Assistant Attorney General
 JD, Iowa, 1984

Julie A. Burger, 7/93 Assistant Attorney General
 JD, Drake, 1991

Deborah M. Stein, 4/00 Assistant Attorney General
 JD, Minnesota, 1993

Mark Hunacek, 7/82 - 7/10 Assistant Attorney General
 JD, Drake, 1981

Forrest A. Guddall, 7/94 Assistant Attorney General
 JD, Gonzaga, 1994

H. Loraine Wallace, 7/96 Assistant Attorney General
 JD, Iowa, 1983

Layne M. Lindebak, 7/79 Assistant Attorney General
 JD, Iowa, 1979

William A. Hill, 8/90 Assistant Attorney General
 JD, Drake, 1989

Jennifer S. Lampe, 12/07 - 5/10 Assistant Attorney General
 JD, Drake, 1996

E.A. Charlie Nichols, 11/08 - 9/09 Assistant Attorney General
 JD, Iowa, 2004

Anne E. Updegraff, 6/07 Assistant Attorney General
 JD, Drake, 1996

Jennifer M. York, 9/07 Assistant Attorney General
 JD, Valparaiso, 2005

Jonathan D. Bergman, 7/10 Assistant Attorney General
 JD, Iowa, 2004

Tyler M. Smith, 7/10 Assistant Attorney General
 JD, Iowa, 2003

Marjorie A. Leeper, 7/82 - 6/10 Investigator

David H. Morse, 3/78 - 6/10 Investigator

Pamela R. O'Brien, 11/98 Administrative Assistant

Stephanie A. Bailey, 5/05 Paralegal

Marcia A. Jacobs, 8/82 - 6/10 Legal Secretary

Ashley M. Randolph, 12/07 Legal Secretary

Sarah L. Thomas, 7/07 Legal Secretary

Jamie D. Kilgore, 3/07 Legal Secretary

Jennifer M. Hart, 7/10 Legal Secretary

Tammy J. Pugh, 7/10 Legal Secretary

TRANSPORTATION

Mark D. Lowe, 2/08 - 3/09 Division Director
 JD, Drake, 1993

David S. Gorham, 6/08 Division Director
 JD, Drake 1993

Noel C. Hindt, 7/89 Assistant Attorney General
 JD, Iowa, 1983

Richard E. Mull, 9/84 Assistant Attorney General
 JD, Iowa, 1977

Robin Formaker, 4/84 Assistant Attorney General
 JD, Iowa, 1979

Christine G. Blome, 10/06 - 10/19 Assistant Attorney General
 JD, Drake, 1986

Teresa K. Baumann, 2/08 - 1/10 Assistant Attorney General
 JD, Iowa, 2001

Barrie J. Terrones, 5/10 Assistant Attorney General
 JD, Drake, 2004

Heather N. Schaffer, 3/07 Compliance Officer

Laura D. Wood, 8/08 - 09 Compliance Officer

Stephen P. Stark, 9/09 Compliance Officer

Christina K. Crow, 6/07 Legal Secretary

Jeannie A. Stolee, 7/08 Legal Secretary

ATTORNEY GENERAL'S OFFICE
ADMINISTRATIVE DIVISIONS

CRIMINAL LAW

AREA PROSECUTIONS DIVISION

The primary mission of this division is to supplement local resources in the prosecution of major criminal offenses throughout the state. Prosecutors in this division assist local county attorneys in difficult, technical, or high-profile felony criminal cases that strain the resources of a local prosecutor's office. The division also frequently handles felony cases in which a conflict of interest or the appearance of a conflict precludes the county attorney from acting.

A large share of the division's cases are murder and sex abuse. Members of the division investigate and prosecute most of the serious, felony level public official misconduct and corruption allegations raised throughout the state. The division also represents the Commission on Judicial Qualifications, investigating the prosecuting complaints against Iowa judges and magistrates.

In addition to criminal cases, the division also has responsibility for enforcing Iowa's sexually violent predator (SVP) program. During the period, 42 SVP investigations were opened, and 8 civil commitments made.

To carry out its responsibilities, the division has twelve attorneys, one investigator, one paralegal, one victim-witness coordinator, and one secretary. Two of these attorneys devote time to SVP litigation. The SVP program is the primary responsibility for an investigator and the sole responsibility of the division's paralegal.

Nine of the attorneys are located at the Attorney General's office in Des Moines. Of the others, one is located in western Iowa and two are assigned full-time to the Medicare Fraud Control Unit at the Department of Inspections and Appeals. The division has at least one attorney with specialized training for each of the following areas: 1) violence against women cases; 2) environmental crimes; 3) obscenity; 4) crimes occurring in penal institutions; 5) tax violations including personal income tax, corporate income tax, sales tax, and motor fuel tax; 6) medicaid fraud, 7) criminal securities fraud, money laundering and other financial crimes; 8) judicial ethics and conduct, 9) sexual violent predator (SVP) commitments, 10) mortgage fraud, and 11) financial exploitation of the elderly.

During the period of this report, 317 major criminal cases, including 57 homicides, were referred from all corners of the state and handled by the division's attorneys.

The division's crime victim witness coordinator provides services to victims of crime and to persons who must appear as witnesses in criminal or SVP trials.

In addition to the criminal and SVP prosecutors, and in conjunction with the Iowa Division of Narcotics Enforcement and U.S. attorneys, the division has three attorneys who prosecute high profile drug cases under the High Intensity Drug Traffic Area program (HIDTA).

CRIMINAL APPEALS DIVISION

The Criminal Appeals Division represents the State of Iowa in all direct appeals from criminal convictions, all appeals from postconviction relief actions and all federal habeas challenges to Iowa convictions. County attorneys generally prosecute criminal cases in the district court. After they obtain a conviction either by plea or trial, the appeals division works to keep the conviction in place by arguing the State's position before the Iowa Court of Appeals, Iowa Supreme Court, federal district courts, the Eighth Circuit Court of Appeals, and even the United States Supreme Court, if need be.

In 2009, offenders filed 730 notices of appeal in Iowa criminal and postconviction cases; offenders filed another 867 notices of appeal in 2010. The criminal appeals division filed a total of 677 briefs in the Iowa Supreme Court during the years 2009 and 2010. Attorneys from the division presented a total of 108 oral arguments before the Iowa Court of Appeals during 2009 and 2010. Attorneys from the division argued a total of 45 cases in the Iowa Supreme Court during those two years.

The Criminal Appeals Division also responds to scores of applications for discretionary review filed by defendants seeking to have the Iowa Supreme Court review a case in advance of final judgment. The division likewise files applications for discretionary review, petitions for certiorari and notices of appeal when the State is interested in challenging an adverse district court ruling. The division pursued 69 such affirmative appeals during 2009 and 2010.

Another function of the division is keeping registered victims informed of the progress and outcome of appeals. At least 437 victims received information from the division in 2009 and 2010.

In its federal practice, the division saw 62 new habeas corpus cases filed in 2009 and 2010. The division's federal attorneys appeared before the Eighth Circuit Court of Appeals several times during 2009 and 2010. The division also reviewed 92 extradition files from the governor's office during 2009 and another 75 files during 2010.

The division provides advice to trial-level prosecutors on an informal basis more or less daily and helps train prosecutors, law enforcement officers, prison officials, and victim workers from across the state. Attorneys from the division also offered continuing legal education presentations for audiences of judges, magistrates and criminal defense attorneys during the past two years.

CRIME VICTIM ASSISTANCE DIVISION

The Crime Victim Assistance Division administers state and federal funds for state level programs that benefit crime victims including Crime Victim Compensation (CVC), Sexual Abuse Examination Payment (SAE), Victim Services Support Program (VSS), IowaVINE, Iowa Protective Order for Domestic Abuse (IPONDA), Identity Theft Passport Program (IDP) and Iowa Crisis Response Team (ICRT) programs.

Funds for these programs and the operational costs of the division come primarily from fines and penalties paid by convicted criminals. No tax dollars are used for the CVC, SAE, IowaVINE, IPONDA, IDP and ICRT programs which are supported with state and federal criminal fines and penalties, restitution and civil suit recoveries from the perpetrator, or others responsible for the crime.

Crime Victim Assistance Board. The Crime Victim Assistance Board was created by the 1989 legislature. Members are appointed by the Attorney General to three-year terms. The ten-member multi-disciplinary board has statutory responsibility for adoption of rules relating to CVAD programs. The board also receives and acts on program appeals filed by crime victims and service providers.

Crime Victim Compensation. In FY10, the program awarded a total of \$5,907,445 compensation to 2,841 new applicant victims. Victims and their families were reimbursed for out-of-pocket expenses related to injury from crime. The average compensation awarded to all paid victims was \$2,079.

The CVC program pays only for expenses not covered by another source such as insurance or other government benefit programs. To be eligible, the crime must have been reported to law enforcement, the victim must cooperate with the reasonable requests of law enforcement officers and prosecutors, and the application for compensation must be filed within two years of the crime.

Victims are disqualified if their own actions caused the injury through consent, provocation, or incitement of the crime or if they were committing a crime that caused their injuries.

Sexual Abuse Examination. In FY10, a total of \$1,643,265 was paid for evidentiary sexual abuse examinations for 2,645 victims. The average cost of a sexual abuse examination was \$621. Victims are not required to apply for the program. Examiners, facilities, laboratories, and pharmacies submit an invoice and are paid directly.

The SAE program pays for evidentiary examinations regardless of whether the victim has decided to report the sexual abuse to law enforcement. If the victim later decides to report the

crime, law enforcement officers and prosecutors have the benefit of evidence that was collected in a timely and effective manner.

Victim Services Support Program (VSS) administers eight state and federal grant funds that provide partial financial support to community-based victim service programs, law enforcement, prosecutors, and the courts. In FY10, a total of \$11,538,842 was distributed to programs that provide information, advocacy, counseling, and shelter to crime victims as well as to prosecutors, law enforcement, and courts specific to violent crimes against women. The programs served 33,141 victims, responded to 72,033 crisis calls, provided 6,783 community presentations to 151,259 community members and provided 1,305 professional trainings to a total of 21,557 professionals.

Programs partially funded by the CVAD include 28 domestic abuse, 28 sexual abuse, 17 prosecutor-based victim witness coordinators, 1 teen victim, 1 general violent crime, and 4 survivor of homicide victim programs. Also partially funded were 33 law enforcement agencies, 10 prosecutors, 1 statewide protective order notification system, and 6 state level, violence against women specialists.

The IowaVINE program is an automated system that provides crime victims free and anonymous email or telephone information and notification regarding the custody status of offenders in Iowa county jails and Department of Corrections facilities. Information is available to callers 24 hours a day, 365 days a year. In FY10, IowaVINE received 26,710 new registrations and sent out 37,018 notifications via phone, email, TTY and text. There were a total of 114,337 searches for offender information on the website or via phone.

The Iowa Protective Order Notification for Domestic Abuse Program (IPONDA) is Iowa's automated VINE Protective Order (VPO) system. IPONDA was developed with the assistance of the Criminal and Juvenile Justice Planning Agency (CJJP) and is scheduled to be fully implemented in Fiscal Year 2012. IPONDA assists victims (petitioners) who apply for and receive a protection order or no contact order from the court to be notified when the protective order is served to the abuser (respondent), or is about to expire. The time immediately after the serving of a protective order to the alleged abuser is a very dangerous time for a domestic abuse victim and IPONDA will provide victims with one more tool to help keep themselves safe.

The Identity Theft Passport Program was implemented on July 1, 2009. Iowans who are victims of identity theft after that date and who have reported the crime to the appropriate law enforcement agency may submit an application for an Identity Theft Passport. A law enforcement agency, creditor, or consumer report agency may consider the Identity Theft Passport as they determine their course of investigation and action. The information may help prevent the victim's arrest or detention for an offense committed by someone using their identity. The information may also help a creditor who is trying to determine if fraudulent charges were made against the victim's accounts or if accounts were opened using the victim's identity. Also, the Identity Theft Passport may be given to a consumer reporting agency to show that there is

an identity dispute on the victim's consumer record. In FY10, the first year of the Identity Theft Passport Program, 16 applications were received and 15 Identity Theft Passports were issued.

The Iowa Crisis Response Team consists of 165 Iowa volunteers available to assist a community that has suffered a crime-related disaster. All members of the team have received a minimum of 40 hours national training on community disaster response. The ICRT is deployed by the CVAD at the request of local officials.

PROSECUTING ATTORNEYS TRAINING COORDINATOR

The Prosecuting Attorneys Training Coordinator provides continuing education, training, and support for Iowa prosecuting attorneys, their assistants, and their victim/witness coordinators in order to promote the uniform and effective administration of criminal justice. Services are provided to all 99 county attorneys, approximately 280 assistant county attorneys, and 40 victim/witness coordinators, as well as to other government attorneys and law enforcement officials. The Coordinator receives advisory assistance from a Council consisting of the Attorney General, the president of the Iowa County Attorneys Association, and three county attorneys elected to staggered three-year terms. The office was created in 1975 and its duties and functions are found in Iowa Code Chapter 13A.

The Prosecuting Attorneys Training Coordinator annually provides approximately 100 to 150 hours of training and 45 to 85 hours of continuing legal education. Training events normally include annual Spring and Fall County Attorney Conferences, and New Legislation Workshops, as well as specialized training on topics of search and seizure, drug enforcement, OWI law, victim witness assistance issues, asset forfeiture, drug endangered children, and child abuse detection and prosecution.

In addition to continuing education, the Prosecuting Attorneys Training Coordinator provides administrative support services, technical assistance, and educational publications to prosecutors and law enforcement officials. Publications include three newsletters: Civil Update, Highway Safety Law Update, and Drug Enforcement Update; Eight legal manuals: Criminal Law Handbook, Iowa Charging Manual, OWI Traffic Offenses Manual, Prosecution of Domestic Violence in Iowa, Iowa Sex Abuse Prosecution Manual, Iowa Search and Seizure Manual, Iowa Civil Desk Reference, and Iowa Acts of Interest to Law Enforcement. The Comprehensive Career Criminal and Drug Prosecution Support Program provides legal research assistance and training to multi-jurisdictional task forces and prosecutors across Iowa. The OWI/Traffic Safety Specialist coordinates efforts of prosecutors of impaired driving and related offenses through specialized publications, newsletters, and instructional programs. The Prosecuting Attorneys Training Coordinator assists in administering the Attorney General's asset forfeiture program established by Iowa Code section 809A, which returns 90% of the proceeds of forfeiture cases to governmental agencies to enhance law enforcement within the state.

CONSUMER PROTECTION/ECONOMIC COMPETITION

CONSUMER PROTECTION DIVISION

The Consumer Protection Division administers and enforces the Iowa Consumer Fraud Act, the Iowa Consumer Credit Code, the Iowa Campground Act, the Charitable Organization Act, and the Iowa Lemon Law.

In addition, the Consumer Protection Division may bring enforcement actions for violations of the Iowa Door to Door Sales Act, the Iowa Drug and Cosmetic Act, the Iowa Motor Vehicle Service Trade Practices Act, the Iowa Car Rental and Collision Damage Waiver Act, the Motor Vehicle Damage Disclosure Law, the Prize Notice Law, and several other state and federal laws and regulations.

The Consumer Protection Division consists of six attorneys, plus eight investigators, three legal secretaries, two secretary/receptionists, and an Executive Officer who provides management and consumer education services. The Division is fortunate to have the assistance of a volunteer complaint-handler. In addition, the Division occasionally receives help from college and law student interns who handle consumer complaints, do legal and other research and perform other important tasks.

During 2009 and 2010, the Division focused its resources in several key areas, with special emphasis on protecting homeowners, protecting consumers against being bound by free trial offers that result in monthly credit card charges if not cancelled, taking action against deceptive charitable solicitations, protecting younger Iowans against unlawful sales of tobacco products and the promotion of caffeinated-alcoholic beverages, addressing consumer fraud in the promotion of prescription medications by large drug manufacturers, and achieving its long-time goal of enacting a private statutory remedy for consumer fraud victims.

1. The Division took the following actions to protect Iowa homeowners:

- Formed and led a 50-state working group as part of a coordinated national effort to explore whether individual mortgage servicers improperly submitted documents in support of foreclosures - the practice of so-called “robo-signing” within the mortgage servicing industry.
- Advocated strongly for new federal legislation enacted to protect homeowners against future mortgage industry abuses and in support of creation of the new federal Consumer Financial Protection Bureau.
- Continued working with the Iowa Mortgage Help Hotline, a free service to assist homeowners behind on mortgage payments in working with mortgage servicers and taking other steps to avoid foreclosure. The Hotline was established by the Iowa Attorney General’s office, Iowa Mediation Service, Iowa Finance Authority, Iowa Legal Aid, and the Iowa Home Ownership Education Project.

- Mailed notice to over 400 Iowa homeowners with information about how they could claim their share of nearly \$400,000 in funds resulting from a 2008 settlement between the Attorney General and a national mortgage lender.
- Obtained a court order barring from doing business in Iowa an out-of-state company that targeted Iowa homeowners with unlawful solicitations for “mortgage-rescue” services - services supposedly to help homeowners avoid foreclosure.
- Reached an agreement with one of the nation’s largest propane retailers, and Iowa’s largest liquid propane (LP) gas distributor, that changed how the company markets and prices its product in Iowa to greatly enhance clarity and transparency for Iowa customers who rely on LP gas for winter heating.
- Advised flood victims and residents in storm-damaged communities in 2009 and 2010 how to avoid consumer scams targeting homeowners cleaning up and repairing damaged homes and that the Attorney General’s rule against price-gouging in times of emergency was in effect in counties affected by the floods and storms.
- Saved scores of Iowa homeowners millions of dollars through the efforts of the Division’s mortgage fraud investigators who negotiated with mortgage servicers and lenders to obtain more beneficial terms for the borrowers.

2. The Division took the following actions to protect Iowa consumers against misleading offers of “free trials”:

- Obtained a judgment after a two-week trial in Polk County district court against one of the nation’s largest sellers of buying club and other program memberships through the use of so-called “free trial” offers finding that the company violated Iowa’s membership buying club and consumer fraud laws. The lawsuit focused on the sale of more than 860,000 Iowa “memberships” to nearly ½ million Iowa consumers over 20 years. The lawsuit alleged that most customers did not know they had been paying for the memberships and did not use them. Thereafter a several-day hearing on relief was held, with the final ruling on relief for consumers expected to be issued in early 2011.
- Filed suit against another of the nation’s largest sellers of buying club and other program memberships alleging similar violations of the Iowa Consumer Fraud Act and the Iowa Buying Club Memberships Act.
- Settled an investigation with a third out-of-state direct marketing firm also involved in selling buying club and other program memberships resulting in an agreement requiring the company to comply with applicable Iowa laws in future solicitations and make a \$225,000 payment.

3. The Division took the following actions to protect Iowans against misleading solicitations for charitable contributions:

- Filed lawsuits alleging Consumer Fraud Act violations by professional fundraiser firms alleged to have engaged in deceptive solicitations for charitable contributions on behalf of various charities by misrepresenting the caller's status, the use of donated funds, and by other misleading representations.
- Filed court actions to require fundraisers who failed to respond to investigative subpoenas to respond or be ordered to cease soliciting in the state.
- Obtained settlements with various professional fundraisers that resulted either in the cessation of solicitations in Iowa or the cessation of misleading representations in connection with requests for donations.
- Obtained a court order shutting down a central Iowa operation that sent children door-to-door soliciting funds through false representations that the money would be used to further "youth careers."

4. The Division took the following actions to protect the health and safety of Iowa's younger consumers:

- Successfully petitioned the federal Food and Drug Administration to take action, in effect, banning the sale of caffeinated-alcoholic energy drinks often targeted to young or underage consumers. The FDA acted in response to calls by the Iowa Attorney General and others to act and acted by sending warning letters to four manufacturers of the products. The warning letters stated that the caffeine in the alcoholic beverages, including then popular brands, were "unsafe food additives," making these products adulterated under federal law.
- Reached another in a long series of agreements with retailers that sell tobacco products to reduce incidence of underage sales, in this case with one of the nation's largest gas station chains. The company agreed to a set of measures aimed at reducing tobacco sales to kids at more than 4,900 gas station convenience stores operating nationwide under the company's trademarked names.
- Joined with other state attorneys general in calling on a company operating a popular Internet notice-posting site to immediately remove the "Adult Services" portion of its site due to continued rampant prostitution advertisements and its inability to police itself, and expressing concern that the company continued to profit from blatant ads that exploited and victimized women and children.
- Took action to end misleading representations by a company that solicited young people and parents by falsely implying that the Iowa governor was involved in selecting those eligible for, and that the recipients were specially selected to receive, the "honor" of the invitation in a travel service solicitation sent by the company.

5. The Division took the following actions to address consumer fraud in health care, particularly regarding prescription drugs:

- Obtained a court order against a major prescription drug manufacturer regarding allegations it used misleading claims in promoting off-label uses for a drug which received FDA approval for treatment of schizophrenia but not for the off-label uses promoted by the company.
- Joined with several dozen other states in a settlement resolving the states' investigation into a lengthy delay by drug companies in releasing negative results of a clinical trial of a cholesterol-lowering drug they jointly manufactured.
- Warned older Iowans to be wary of telemarketing calls and "spam" e-mails falsely claiming to be from the federal government and relating to rebates checks for seniors falling into the so-called "donut hole," the gap in Medicare's prescription drug reimbursement coverage.

6. The Division achieved enactment of the Iowa Private Right of Action for Consumer Frauds Act - Iowa Code chapter 714H.

Effective July 1, 2009, the Iowa Private Right of Action for Consumer Frauds Act provides a civil cause of action to consumers victimized by the most common consumer frauds. The Act resulted from years of effort by the Attorney General's office to seek enactment of a statutory remedy for consumer fraud. Prior to its enactment, Iowa was the only state without a statutory remedy for consumers. The new law gives consumers who allege they are victims of consumer fraud in auto purchases, home improvements, mortgage broker misconduct, auto repairs, and telemarketing, sweepstakes and many other scams the right to file lawsuits in state court, or file counterclaims alleging violations of the law when they are sued. Importantly, the law requires courts to order defendants to pay the consumer's attorney his or her legal fees if the consumer obtains a favorable judgment in an action under the Act. The Attorney General's office made numerous presentations during 2009 and 2010 at attorney continuing legal education programs regarding this new law.

7. The Division took other actions as well, including, but not limited to:

- Obtained settlements with the nation's two largest satellite television service providers including significant consumer refunds and changes in practice to end a variety of misleading and unfair sales and other practices.
- Obtained a settlement with a major national clothing retailer concerning the company's security practices and a massive data breach that exposed millions of consumer credit and debit cards over a two-year period.
- Filed suit against a company that sold motor vehicle service contracts through misleading telephone and mail solicitations that falsely stated or implied that they came from the manufacturers of the vehicles owned by the recipients.

- Obtained an agreement barring a magazine seller from marketing to Iowans and requiring it to provide refunds to Iowa consumers.
- Obtained a court order against a company that nationally markets identity theft protection services prohibiting the company from misrepresenting its services and requiring it to pay \$11 million to consumers nationally, including Iowa customers of the company.

The Consumer Protection Division engages in many programs of preventative consumer protection designed to deter potential schemes and inform consumers. The Consumer Protection Division's involvement in handling individual consumer complaints, investigating possible deception and unfair practices in advertising and sales practices, and filing lawsuits has a substantial deterrent effect on persons and companies who might be tempted to engage in fraudulent practices either against Iowans or from an Iowa base.

The Division attempts to inform the public about both specific and common schemes of fraud through a variety of means including news releases, website postings, and public speaking engagements. In addition, a section of the Attorney General's Internet web site is devoted to the work of the Consumer Protection Division. Citizens may access that section by going to www.IowaAttorneyGeneral.gov and then to the link labeled, "Protecting Consumers." There, citizens can link to consumer education brochures and advisories, news releases about lawsuits filed and settlements obtained by the Consumer Protection Division, and to the laws enforced by the Division. In addition, the website includes a consumer complaint form, allowing consumers to file complaints on line. Consumer complaints may also be sent to the Division via e-mail to: consumer@Iowa.gov, via fax to: 515-281-6771, or via U.S. mail to: Consumer Protection Division, 1305 E. Walnut Street, Des Moines, IA 50319. The Division's toll-free telephone number for Iowa residents living outside of the Des Moines local calling area is 1-888-777-4590. In the Des Moines local calling area the number to call is (515)281-5926.

FARM DIVISION

The Farm Division serves as primary legal counsel for all bureaus of the Iowa Department of Agriculture and Land Stewardship, including thirteen administrative bureaus, four animal health bureaus and five plant management bureaus. In addition, it represents the Iowa Agricultural Development Authority, Iowa State Fair and other state boards and entities.

The Farm Division continues to assist attorneys and farmers with relevant questions and other issues pertaining to agriculture. Letters and telephone calls about fence law matters, fertilizer and pesticide storage and containment, farm leases and other issues are regularly addressed by the Division.

The Farm Division also brings consumer fraud actions and negotiates settlements on behalf of rural Iowans who have been subjected to deceptive practices and scams. Some recent issues have included Ponzi schemes aimed at farmers, unscrupulous operators of gas stations, fly-

by-night farm buying club schemes, exotic animal marketing ploys, wind production systems, and farm equipment scams. The division has also worked on seed sales program problems and livestock confinement issues.

The Farm Division continues its involvement in negotiations with national and multi-national companies in areas of swine production.

The Farm Division also remains directly involved with working groups within and outside of the state. It serves as the hub for grants that it established under agreements with a major livestock production and processing entity. These grants are distributed annually by a combined legislative and Attorney General advisory group to entities and individuals submitting proposals to further agriculture in Iowa.

Farm Advisories are available from the Farm Division. Commonly asked questions are answered, recent legislative actions are outlined and current illicit activities are presented through this forum.

REPRESENTATION OF STATE INTERESTS

SPECIAL LITIGATION DIVISION

The Special Litigation Division provides legal representation to the Department of Corrections and defends the state in tort and workers' compensation cases, including defense of the Second Injury Fund. The division's attorneys litigate at all levels of state and federal court, as well as before administrative agencies. The division is charged with the investigation of all administrative claims made to the State Appeal Board under both Iowa Code chapter 25, general claims, and chapter 669, tort claims. Other duties include providing advice to other state agencies concerning risk management, representation of the Civil Reparations Trust Fund with regard to awards of punitive damages, and representation of the State Appeal Board concerning local budget appeals.

Tort litigation involves claims of medical and dental malpractice, premises liability, motor vehicle accidents, social service liability and employment discrimination and wrongful discharge, among others. The state, elected officials, agencies and state employees are represented by division attorneys in these suits. The division appeared on behalf of the state and/or state employees in district court litigation.

Tort and general claims are investigated and recommendations concerning the claims made to the State Appeal Board. During this two-year period 2,165 general and tort claims were filed and referred to the division. The State Appeal Board considered and determined 2,174 general and tort claims based upon the recommendations of the division.

The division advises and represents the Department of Corrections on various legal concerns, including the impact of policy, the effect of new legislation and case law, and contract matters. This representation involves the DOC central administration, the nine prison facilities around the state, and the eight judicial district departments of correctional services which administer community corrections programs. The attorneys defend the department and its employees in prisoner civil rights litigation and challenges to prison disciplinary action.

Workers' compensation cases brought by state employees and claims against the Second Injury Fund are initiated as administrative actions before the Workers' Compensation Commissioner. During the 2009-2010 biennium the division opened 754 new workers' compensation and SIF contested cases. The division also represents the Commissioner in litigation involving the agency.

REPRESENTATION OF STATE AGENCIES

ENVIRONMENTAL LAW DIVISION

The Environmental Law Division represents the State of Iowa in issues affecting the environment. The majority of the division's work involves representing the Department of Natural Resources, the Department of Agriculture and Land Stewardship, and the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board.

The division prosecutes civil environmental enforcement actions involving water pollution, water supply, solid waste, air pollution, leaking underground storage tanks, hazardous conditions, and flood plains pursuant to Iowa Code chapter 455B, and animal feeding operations pursuant to Iowa Code chapters 459 and 459A. The division is also responsible for implementing the One Call Education and Enforcement Initiative, including educating excavators and operators of underground facilities of the requirements of Iowa Code chapter 480 and, when appropriate, initiating civil enforcement actions. The division also defends its assigned agencies in citizen suits, civil rights actions, judicial proceedings, and other litigation.

The division routinely advises the Department of Natural Resources concerning statutory and rule interpretations, administrative law questions, and enforcement strategies. The division provides legal assistance to the DNR in matters relating to acquisition and management of state-owned lands and waters and development projects on state-owned lands including National Environmental Policy Act requirements, construction contract disputes, drainage disputes, permits and leases for special uses of public lands and waters, and regulations relating to fishing, hunting, trapping, boating and use of state parks. The division advises the DNR and other state agencies in matters relating to federal management of the Missouri and Mississippi Rivers.

The division serves as general counsel to the Division of Soil Conservation of the Department of Agriculture and Land Stewardship as well as the 100 soil and water conservation

districts. General counsel duties include providing legal assistance regarding such matters as contracts, personnel issues, and collections. The division enforces coal and mineral mining laws and assists in collecting administrative penalties, provides title opinions, and reviews contracts in connection with water quality and abandoned mine land reclamation projects. The division also represents the soil and water conservation districts by enforcing administrative orders, soil loss limits, and maintenance agreements and by providing title opinions in connection with watershed projects.

The Pesticide Bureau of the Department of Agriculture and Land Stewardship is also represented by the division. The division assists in collecting administrative penalties regarding pesticide handling violations.

The division serves as general counsel to the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board. General counsel duties include advising the board on issues relating to the UST remedial action program; reviewing and drafting UST legislative proposals; assisting in the rulemaking process; and handling administrative contested cases. General counsel duties also include contract drafting and review, negotiations, and handling personnel issues for the board. In addition, the division handles cost recovery efforts requested by the board pursuant to Iowa Code chapter 455G and assists the DNR and board in evaluating corrective action proposals at contaminated sites.

The division represents the State Archaeologist, and provides legal assistance to the National Guard, State Historical Society and other state agencies on real estate matters.

LICENSING AND ADMINISTRATIVE LAW DIVISION

The Licensing and Administrative Law Division, one of the largest divisions in the Office, provides a wide array of legal services to elected and appointed state officials and state agencies. Division attorneys defend state officials and agencies in state and federal court, prosecute administrative hearings, initiate litigation on behalf of the state, review and draft contracts and other legal documents, and provide day-to-day legal guidance on such issues as employment law, civil rights, public finance, state bonding, statutory construction, and rulemaking.

The Division represented the State in 127 state district court cases, 36 appeals to the Iowa Supreme Court, 16 federal district court cases, 5 federal appeals (Eighth Circuit Court of Appeals), and 2,297 mortgage foreclosures (in which the State is a defendant based on criminal judgment liens), including only cases initiated between January 1, 2009 and December 31, 2010.

The Division advises and represents the State Treasurer, Secretary of State, State Auditor, Judicial Branch, Iowa Commerce Department (including the Commissioner of Insurance, Superintendent of Banking, Superintendent of Credit Unions, and Alcoholic Beverages Division), Iowa State Fair, Education Examiners, National Guard, State Librarian, State Records Commission, Iowa College Student Aid Commission, Iowa Finance Authority, Tobacco

Settlement Authority, Iowa Higher Education Loan Authority, Peace Officers' Retirement, Accident, and Disability System, Iowa Communications Network, Iowa Law Enforcement Academy, State Interoperable Communications Board, City Development Board, Targeted Small Business, Child Advocacy Board, Parole Board, Iowa Public Television, State Lottery, Racing and Gaming Commission, Iowa Public Employees' Retirement System, and the Departments of Administrative Services, Management, Education, Cultural Affairs, Elder Affairs, Blind, Inspection and Appeals, Public Safety, Workforce Development, Economic Development, Public Health, Homeland Security and Emergency Management, and Human Rights.

Division attorneys represent and prosecute disciplinary cases before approximately three dozen professional licensing boards regulating physicians, pharmacists, dentists, nurses, teachers, school administrators, engineers, land surveyors, real estate brokers and salespersons, real estate appraisers, certified public accountants, licensed public accountants, interior designers, architects, landscape architects, social workers, physical and occupational therapists, podiatrists, nursing home administrators, psychologists, funeral directors, cosmetologists, optometrists, dieticians, massage therapists, barbers, behavioral scientists, athletic trainers, chiropractors, hearing aid dealers, respiratory care practitioners, speech pathologists, audiologists, physician assistants, law examiners, interpreters, veterinarians, plumbers, electricians, and shorthand reporters. The Division provides similar services in regulatory areas such as alcoholic beverages, casinos, amusement devices, mortgage companies and originators, pre-need funeral and cemetery arrangements, law enforcement officer certification, sex offender registry, and emergency medical care providers.

REGENTS AND HUMAN SERVICES DIVISION

Regents & Human Services is the largest division in the Attorney General's office. The 53 attorneys and 1 legal assistant in this division perform legal services for the Department of Human Services, the State Board of Regents and their respective institutions. The Department of Human Services' institutions include the four mental health institutions at Cherokee, Clarinda, Independence and Mount Pleasant; the Civil Commitment Unit for Sexual Offenders (CCUSO); Eldora State Training School, the Toledo Juvenile Home; Glenwood Resource Center and Woodward Resource Center. The Regents' institutions represented by the division are the University of Iowa, University of Northern Iowa, Iowa State University; the Iowa School for the Deaf and the Iowa School for the Blind.

The services provided include:

Department of Human Services. The Department of Human Services is the largest state agency and the scope of representation provided by the Division is accordingly very broad and also quite specialized. The attorneys in the Division handle the non-tort litigation involving the Department and provide legal advice and appear in administrative hearings involving the areas of Medicaid, Temporary Aid to Needy Families, food stamps, Healthy and Well Kids in Iowa (hawk-i), and other benefits programs.

Our attorneys also advise the Department on contract related issues, including competitive bidding and contract negotiations.

The attorneys in the Juvenile Law section handle delinquency, child in need of assistance and termination of parental rights appeals before the Iowa Supreme Court and the Iowa Court of Appeals. The division also occasionally prosecutes those cases at the trial court level. In addition, the division represents the Department of Human Services in over 1000 contested cases per year involving the Child Abuse Registry, childcare Licensing and Registration, and Foster Care Licensing.

Thirty six of the division's attorneys provide representation to the Child Support Recovery Unit of the Department. The majority of child support attorneys are located in regional child support recovery field offices throughout the state and appear in court daily to prosecute child support recovery actions. Other attorneys provide legal support for the field attorneys in the unit and advise the Child Support Recovery Bureau on policy matters.

Board of Regents. Division attorneys represent the State Board of Regents and the Regents' institutions in all non-tort litigation. Regents' litigation includes actions involving commercial transactions, construction disputes, civil rights and employment discrimination claims. On matters of general legal advice, division attorneys work closely with attorneys in the Board of Regents office as well as the staff counsel of the three state universities.

REVENUE DIVISION

The Revenue Division advises and represents the Department of Revenue with respect to various taxes which are administered by the department, including income taxes, franchise tax imposed on financial institutions, state sales and use taxes, cigarette and tobacco taxes, drug tax, motor vehicle fuel taxes, inheritance and estate taxes, property taxes, hotel and motel local option taxes, local option sales taxes, real estate transfer tax, and grain-handling tax. In addition, the division drafts responses to tax opinion requests made to the Attorney General.

During the 2009-2010 biennium, the division began with 224 protests and received 270 new protests for the calendar year 2009 and began with 313 protests and received 218 new protests for the calendar year 2010. During the biennium, the division participated in the

resolution of informal proceedings for 307 protests filed by audited taxpayers. Thirty-six contested case proceedings were initiated and the division resolved 39 contested case proceedings. In the biennium, seven new appeals were filed with the Director of Revenue and eight cases were either settled or a decision was received. In the biennium, 10 contested cases were filed with the State Board of Tax Review and six cases were either settled or a decision was received at the State Board of Tax Review level.

During the biennium, 10 new Iowa district court petitions were filed and seven cases were either settled or a decision was received.

At the appellate Iowa court level, seven cases were initiated and the division received a decision or the case was settled in eight cases before the Iowa Supreme Court and Iowa Court of Appeals.

During the biennium, 1073 lawsuits for foreclosure of liens or to quiet title were handled in which the Department of Revenue was a party. An answer or disclaimer was filed in each and the State's tax lien priority, if any, was preserved.

The division also assisted the Department of Revenue in disposing of seven petitions for declaratory orders. In addition, hundreds of proposed rules of the Department were reviewed for content and legality at the Department's request.

As a result of the division's activities on behalf of the Revenue Department during the biennium, \$29,253,050 of tax revenue was directly collected or requested refund amounts were not paid.

TRANSPORTATION DIVISION

The Transportation Division of the Iowa Attorney General Office is composed of a Special Assistant Attorney General and five Assistant Attorneys General. Pursuant to Iowa Code section 307.23 the Special Assistant Attorney General serves as the General Counsel to the Iowa Department of Transportation and the other assistants work with the Special Assistant to carry out the duties assigned by the Code to the office of General Counsel. Two legal assistants and three support staff also work in the Attorney General's Ames, Iowa office.

The Division represents the Iowa Department of Transportation at the administrative, trial, and appellate levels in both federal and state courts in cases involving contract disputes, employment discrimination claims, constitutional challenges, environmental issues, tort claims against the state, condemnation matters, and judicial review actions.

During 2009-2010, the Division opened 12 tort cases and closed 15 involving highway accidents or accidents occurring on property owned or controlled by the Department of Transportation and involving personal injury or property damage. During this same period the

Division opened 116 judicial review proceedings and closed 121, all actions where parties appealed to the district court level from administrative actions by the Department of Transportation. The Division also represented the Department in 14 new condemnation appeals in district court and closed 23 condemnation actions.

The legal assistants represent the Department in OWI license revocation hearings pending before administrative law judges from the Department of Inspections and Appeals. From 2009-2010, Attorney General paralegals were involved in 7,874 DOT administrative hearings of which 1,104 were appealed administratively and handled by staff.

The legal staff also provides non-litigation services to the Department. Division attorneys reviewed 2,751 temporary restricted license requests from January 2009 up to June 30, 2010. The responsibility for processing of temporary restricted license requests was moved to the Iowa Motor Vehicle Division due to legislative changes effective July 1, 2010. Routine consultation was performed with Transportation personnel during 2009-2010 in matters involving open records, employment issues, statutes, court decisions, state and federal regulations, policy matters, proposed legislation and administrative rules affecting the Iowa Department of Transportation. Division attorneys also review Transportation contracts, easements, deeds, title opinions and patents.

ADMINISTRATIVE SERVICES

ADMINISTRATIVE SERVICES DIVISION

The Administrative Services Division performs four main functions: providing administrative management of the department, communicating with the legislature, communicating with the public through the media, and carrying out projects that advance the special priorities of the Attorney General.

The administrative functions of the division include managing budget and fiscal matters, determining personnel and staffing, coordinating computer support, and managing office facilities.

The division's legislative liaison represents the Attorney General before the General Assembly by advocating the office's many legislative priorities, answering questions posed by lawmakers, providing information on many matters, and coordinating the interaction between lawmakers and other members of the Attorney General's staff.

The division issues news releases, brochures and other material about important matters such as consumer protection warnings or services available to crime victims. It answers wide-ranging questions posed by the media. The division also maintains a website with information about the Attorney General's office (www.iowaattorneygeneral.org).

The administrative services division coordinates and undertakes most of the activity required by special priorities chosen by the Attorney General.

CONSUMER ADVOCATE

CONSUMER ADVOCATE

The Office of Consumer Advocate (OCA) represents all consumers and the public generally in all proceedings before the Iowa Utilities Board (IUB). The IUB administers Iowa's public utility regulation statutes in Iowa Code chapters 476 and 476A. The OCA is also independently authorized to investigate the legality of all rates, charges, rules, regulations and practices of all persons under the jurisdiction of the IUB, and may institute proceedings before the IUB or court to correct any illegality.

Proceedings before the IUB in which OCA participated during the 2009-2010 biennium included annual reviews of both electric and natural gas utilities' fuel purchasing and contracting practices, electric transmission line and gas pipeline certificate cases, formal complaints and investigations of specific utility practices, purchased gas adjustment cases, energy adjustment clause reviews, utility tariff filings, rule waiver request applications, electric utility service area disputes, rulemakings, energy efficiency program proposals, proposed utility reorganizations, acquisitions, and rate cases. OCA also reviews the rates, terms and conditions of negotiated interconnection agreements between competitors and incumbent local exchange telecommunications service providers; notice of inquiry proceedings to educate the participants on a particular issue or set of issues; and non-exclusive service territories and certificates of public convenience and necessity for competitive telephone carriers.

Over this two-year period, OCA has reviewed 27 cases involving when a utility must receive a Certificate of Public Convenience and Necessity from the IUB before it can provide land-line local telephone service in Iowa, pursuant to Iowa Code § 476.29(1). OCA represented ratepayers and the general public in the resolution of 6 proposed rate increases filed by electric, natural gas, telephone, and water utilities. OCA was involved in 63 petitions for electric transmission line franchises or renewals of existing franchises filed in 2009 and 64 in 2010. In 2009 there was activity of various kinds in 18 dockets opened in earlier years and in 2010 there were 9. Total electric transmission line dockets in which there was activity in 2009-10 was approximately 154. OCA was involved in 21 petitions for pipeline permits, including 5 in 2009 and 16 in 2010. OCA was involved in 22 formal complaints, investigations brought against a utility by another utility, a customer, by the Board, or brought upon by the OCA, and monitored over 456 informal complaint cases. There were over 114 purchased gas adjustment filings made by utilities, along with 8 reviews performed by OCA of supplemental gas price hedging activities provided by utilities. There were 48 monthly electric energy adjustment clause filings made as well as two full-cost energy adjustment clause filings. There were 433 tariff filings made by utilities and 64 waiver request filings made. OCA participated in 26 utility service area boundary

disputes. Also, OCA was involved in 14 rulemaking proceedings, 6 formal utility investigations and 4 energy efficiency program plans.

OCA has continued to seek to enforce an Iowa statutory prohibition on telephone slamming and cramming. Slamming is the practice of changing a consumer's service without permission. Cramming refers to charging a consumer for services that were not ordered, authorized or received. During 2009 and 2010, the office secured settlement agreements with 16 companies, resulting in payments of civil monetary penalties in amounts totaling \$38,250 for alleged violations. By law, these payments are used by the Iowa Utilities Board for consumer education purposes. The office has been active through its national association, the National Association of State Utility Consumer Advocates, in efforts to secure better consumer protections against cramming in proceedings before the Federal Communications Commission.

During the biennium, 11 new Iowa district court petitions were filed and 8 cases were either settled or a decision was received. At the appellate Iowa court level, 8 cases were initiated and the division received a decision or the case was settled in 3 cases before the Iowa Supreme Court and Iowa Court of Appeals.

Additionally, the OCA administers an energy efficiency collaboration in support of ratepayer funded energy efficiency programs in Iowa. The energy efficiency collaboration brings together energy efficiency stakeholders to identify best practices in energy efficiency programming and advance coordination opportunities among energy efficiency programs. The collaboration functions through quarterly stakeholder meetings which promote understanding and awareness of energy efficiency opportunities through findings on best practices, collaborative efforts, and opportunities for future consideration or coordination. This voluntary collaborative has more than 100 members. The members are from multiple sectors, including investor-owned energy utilities, consumer owned energy utilities, energy service companies, government agencies, policy makers, energy efficiency consultants/experts, energy consumers, energy efficiency advocates and advocacy organizations, and municipalities.

LEGAL SERVICES

LEGAL SERVICE GRANTS

Under Iowa Code section 13.34, the Attorney General is directed to contract with eligible nonprofit organizations to provide legal assistance to eligible individuals in poverty. In FY09 and FY10, the Attorney General's office utilized available appropriations and contracted with the Legal Services Corporation of Iowa and the Polk County Legal Aid Society under this section.

ATTORNEY GENERAL OPINIONS

Iowa Attorney General Opinions are now available on the Department of Justice's website: www.IowaAttorneyGeneral.org.