

To: All Iowans
From: Iowa Judicial Branch
Re: Judicial Branch Operations Summary
Date: March 23, 2020

During these unprecedented and ever-changing circumstances, we thought it would be helpful to provide regular public updates on the steps we have taken to provide essential services to Iowans while still trying to protect the health of judicial branch employees and mitigate the spread of coronavirus/COVID-19. The plan is to send out an update every Monday morning or as circumstances dictate. Our updates are intended in part to address questions the Iowa Judicial Branch has received.

Reference Materials:

[Supreme Court March 12, 2020 Supervisory Order](#)
[Supreme Court March 13, 2020 Supervisory Order on Juvenile Court Services](#)
[Supreme Court March 14, 2020 Supervisory Order](#)
[Supreme Court March 16, 2020 Supervisory Order on OPR](#)
[Supreme Court March 17, 2020 Supervisory Order](#)
[Guidance to Juvenile Court Judges, March 20, 2020](#)

Summary:

Courthouse Access: Chief Judges are working with each county to ensure that the public can access Clerk of Court offices and courtrooms for the procedures explained in the March 17, 2020, order. If you need to access the Clerk's Office, please call the office first so that you can follow the procedures that are in place. Do not visit the Clerk's Office or the courthouse in person if you are feeling ill.

Criminal Trials: Any criminal trial that is not in progress and that is rescheduled to begin before April 20 shall be continued and reset to a date no earlier than April 20. This includes jury and bench trials.

Civil Jury Trials: All civil jury trials that have not commenced as of March 13 and that are scheduled to begin before May 4 shall be continued to a date to be determined at a future time.

Civil Bench Trials: All civil bench trials and other hearings set to commence before May 4 shall be either continued to a date no earlier than May 4 or conducted by telephone, at the discretion of the judge.

Proceedings using video conference or conducted by telephone: Judges have discretion in this matter. If one party objects to proceeding by phone, and the

court believes the matter should nonetheless go forward and not be postponed, then the court can order telephonic testimony. The next to last paragraph of the March 17th order states: “The court temporarily suspends the operation of any Iowa Court Rules and statutes to the extent they are contrary to any provisions of this order.”

Jury Summons: We have cancelled all jury trials through April 19, 2020. Jury summonses continue to be mailed for sessions of court beginning April 20 and thereafter. Summoned jurors should follow the instructions on the postcard as normal. Should a decision be made to cancel additional jury trials after April 20 that information will be made available through the call-in line and other notifications. Questions should be directed to the Clerk of Court number listed on the postcard summons.

Forcible Entry and Detainer: The March 17th order continues all the FED (eviction cases) set to commence before May 4, 2020 unless the tenancy poses a clear and present danger or the district court decides to proceed by phone. Furthermore, on March 20, 2020, the Governor issued an order concerning suspension of certain evictions.

Statute of Limitations: The March 17th order is intended to toll the statute of limitations or similar deadline for commencing an action in district court by 48 days. Tolling means you add that amount of time to the statute of limitations. So, for example, if the statute would otherwise run on April 8, 2020, it now runs on May 26, 2020 (48 days later).

Child Welfare: Chief Justice Christensen has been in communication with DHS Director Garcia. In child welfare cases with DHS involvement where there are court orders requiring face to face family interactions, DHS and FSRP providers shall comply with CDC and IDPH guidelines to mitigate the spread of coronavirus/COVID-19. While face to face interactions are preferred, remote family interactions are appropriate when necessary to comply with CDC and IDPH guidelines. If concerns regarding coronavirus/COVID-19 impede efforts for face-to-face family interaction, judicial officers should consider allowing efforts by DHS and FSRP to provide family interaction using alternative means including, but not limited to, telephone and/or video conferencing. Attached is the most recent guidance given to judges covering the juvenile court docket.

Juvenile Court Services: Chief Justice Christensen and Director of Juvenile Court Services Chad Jensen are in communication with DHS. Mr. Jensen is working with DHS to monitor admissions and conditions at the State Training School for Boys in Eldora. The most recent guidance given to judges covering the juvenile court docket includes information on delinquency cases.

Continuing Legal Education: The March 16th order lifts the 6 hour cap on unmoderated (on-line) CLE for attorneys for the current reporting period.

Supreme Court March and April Oral Arguments: The supreme court has cancelled oral arguments for the rest of March and for April but will be deciding those cases. The cases will be submitted without oral argument.

Court of Appeals April Oral Arguments: All staff members of the Iowa Court of Appeals are authorized to work remotely. Judges will be able to access all matters by laptop and all phone calls will be forwarded to staff working remotely. Pursuant to the Iowa Supreme Court order of March 14, 2020, oral arguments scheduled in April and May 2020 will be continued by separate order.

Supreme Court Clerk's Office: The Judicial Branch Building is closed to the public. If you must file an appellate document on paper please use the drop box in the building entrance for the paper filing. If you are an electronic filer but need to use a public access terminal to file your documents, you may place your paper filing in the drop box and the clerk's staff will scan and file the document for you. If you use the drop box and would like a copy of the document returned to you, please enclose a self-addressed stamped envelope. The supreme court clerk's office remains open but with limited staff. The staff may be assisting other callers or collecting mail and paper filings so please be patient as you may have to call a second time if there is no answer.

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

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