

**CHAPTER 20**  
**COURT RECORDS**

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## CHAPTER 20 COURT RECORDS

**Rule 20.1 Court records.** The rules in this chapter govern the creation, storage, retention, duplication, reproduction, disposition, destruction of, and public access to records of the judicial branch of government.

**20.1(1)** “Records of the judicial branch of government” are all records, regardless of physical form, characteristics, or means of transmission, made or received in connection with the transaction of official business of the judicial branch of government and consist of court records and administrative records.

**20.1(2)** “Court records” are the contents of the court file, including the docket and other similar records generated to document activity in a case, transcripts filed with the clerk, documentary exhibits in the custody of the clerk, and any record of court proceedings produced by means authorized by the supreme court.

**20.1(3)** “Administrative records” are all records other than court records made or received by the judicial branch pursuant to court rule or state law, or in connection with the transaction of official business of any judicial branch entity.

[Court Order January 6, 2010]

**Rule 20.2 Reports and transcripts of court proceedings.** The supreme court shall designate the types of court proceedings that must be reported and prescribe the manner, procedures and equipment to be used for creating, retaining, duplicating, reproducing and destroying a report of any proceeding in any court in this state.

[Court Order January 6, 2010]

**Rule 20.3 Records of the Supreme Court and Court of Appeals.** The clerk of the supreme court may:

**20.3(1)** Reproduce original records of the supreme court and of the court of appeals by any reasonably permanent legible means including, but not limited to, reproduction by photographing, photostating, microfilming, computer cards, and electronic digital format. The reproduced record has the same authenticity as the original record.

**20.3(2)** After the original record is reproduced, the clerk of the supreme court may destroy the original records.

[Court Order October 26, 2017]

**Rule 20.4 Purging of case files.**

**20.4(1)** Each clerk of the district court may purge civil case files ten years after final disposition. For purposes of this rule and rule 20.5, civil case files do not include juvenile, mental health, probate, or adoption proceedings. Each district court clerk may purge criminal case files ten years after dismissal of all charges, or ten years after the expiration of all sentences imposed or the date probation is granted, whichever later occurs. For purposes of this rule and rule 20.5, “purging” means the removal and destruction of documents in the case file which have no legal, administrative or historical value. The documents are to be retained or discarded in accordance with the purging lists in rule 20.5.

**20.4(2)** Purging shall be done prior to reproduction of an entire court file in preparation for destruction under Iowa Code section 602.8103. A file shall be purged only once, pursuant to the provisions of this rule in effect at the time of purging.

**20.4(3)** Each clerk of the district court shall designate either the clerk or a deputy as the “Records Management Specialist.” The records management specialist shall be responsible for implementing office procedures for records management and retention, including the implementation of this rule. The records management specialist shall be the local supervisor who will answer questions about purging any documents not on the lists provided in rule 20.5. Any question not answerable by the records management specialist shall be referred to the district court administrator, who may refer questions to the state court administrator.

**20.4(4)** The district court clerk need not give notice to any agency, attorney, party, or other group before purging any files under this rule and rule 20.5. Any government agency, historical society, group, or person may request and obtain any or all purged documents upon making written request

to the local district court clerk, and tendering payment therefor. District court clerks shall cooperate with reasonable requests of local and state historical societies when implementing purging operations.

**20.4(5)** Case files will be excepted from this rule only upon court order signed by a majority of the district judges of that district. The order may prohibit purging specific court files in whole or part, and must state the reason for the prohibition.

**20.4(6)** Purging of case files in proceedings involving parental notification of a minor's abortion under Iowa Code chapter 135L shall be in accordance with Iowa Ct. R. 8.32(3).

**20.4(7)** Orders appointing condemnation commissioners shall be retained for five years and then destroyed without reproduction.

**20.4(8)** One year after filing, district court clerks may destroy, without reproduction, "Confidential Information Forms" filed pursuant to Iowa Code section 602.6111.

[Court Order November 9, 2001, effective February 15, 2002; October 26, 2017]

**COMMENT:** Rule 20.4 formerly appeared as Iowa Court Rule 22.37. [Court Order October 26, 2017]

**Rule 20.5 Purging of case files—lists.**

**20.5(1)** Civil case files.

*a.* Retain in files:

- (1) Original notice.
- (2) Petition.
- (3) Return of service—affidavit of publication, certificate of state official (long arm/nonresident motorist, foreign corporations).
- (4) Answer.
- (5) Cross-petition.
- (6) Answer to cross-petition.
- (7) Counterclaim.
- (8) Signed orders (original signed by judge).
- (9) Decisions or decrees of court opinions.
- (10) Amended pleadings (see nos. 2, 4, 5, 6, or 7).
- (11) Writs issued (return of service).
- (12) Entry of judgment.
- (13) Dismissal.
- (14) Jury verdict form (signed).
- (15) Notice of appeal.
- (16) Procedendo from clerk of supreme court.
- (17) Agreement for judgment.
- (18) Offer to confess judgment.
- (19) Acceptance of offer to confess judgment.
- (20) Execution/special execution.
- (21) Return on execution/sheriff's sale.
- (22) Stipulations.
- (23) Partial satisfactions.
- (24) Special appearance.
- (25) Claim for return of seized property.
- (26) Application for forfeiture of seized property.
- (27) Release and/or satisfaction.

*b.* Discard from files (EXCEPT in those cases excluded in rule 20.4(1)):

- (1) All duplicates of original documents.
- (2) Bonds.
- (3) Motions/Applications:
  1. Amend
  2. Change venue
  3. Dismiss/demurrer

4. Strike
5. Quash
6. More specific statement
7. Summary judgment
8. Consolidation
9. Stay
10. Compel
11. Sanctions
12. New trial
13. Reconsideration
14. Enlarge and amend
15. Continuance
16. Consolidate or sever
17. Judgment notwithstanding verdict
18. Examinations of judgment debtor
19. Substitute party
20. Withdrawal of attorney
21. Condemn funds
22. Citation for contempt
- (4) Response to any motion.
- (5) Briefs.
- (6) Notice of deposition.
- (7) Deposition transcripts.
- (8) Interrogatories and answers.
- (9) Notice of interrogatories.
- (10) Request for production.
- (11) Response to request for production.
- (12) Request for admissions and responses.
- (13) Pretrial compliance reports.
- (14) Trial certificates.
- (15) Objections to trial certificate.
- (16) Subpoenas.
- (17) Proposed jury instructions.
- (18) Witness lists; exhibits lists.
- (19) Correspondence.
- (20) Directions to sheriff for service.
- (21) Demand for jury trial.
- (22) Certificate of reporters re: costs of or taking deposition.
- (23) Order condemning funds.
- (24) Scheduling order or notices.
- (25) Orders that only set hearings.
- (26) Strike list notices.
- (27) Warrant for arrest of contemnor.
- (28) Entry of default.
- (29) Jury instructions.
- (30) Receipts for exhibits.
- (31) Praecipe.
- (32) Affidavit of amount due.
- (33) Affidavit of payments made.

**20.5(2)** Criminal case files.*a.* Retain in files:

- (1) Trial information and minutes of testimony.
- (2) Indictment.
- (3) Amended trial information.
- (4) Written plea of guilty.
- (5) Opinion or decision of court.
- (6) All orders of court, except those only setting a hearing.
- (7) Jury instructions.
- (8) Jury verdict (signed).
- (9) Notice of appeal.
- (10) Procedendo from clerk of supreme court.
- (11) Notice of dismissal of appeal.
- (12) Judgment entry.
- (13) Sentencing entry.
- (14) Presentence investigation report and associated reports.

*b.* Discard from files (EXCEPT in those cases excluded in rule 20.4(1)):

- (1) All duplicates of original documents.
- (2) All copies and originals of jail booking forms and receipts.
- (3) All subpoenas issued and returned.
- (4) Written stipulations.
- (5) Warrant for arrest.
- (6) Return on warrant.
- (7) Bail bonds.
- (8) Recognizance agreements to appear.
- (9) Written arraignment.
- (10) Motions:
  1. To suppress and response
  2. Change of venue and response
  3. Limine and response
  4. To dismiss and response
  5. To sever trial and response
  6. Bill of particulars and response
  7. To amend trial information
  8. For appointment of counsel
  9. For withdrawal of counsel
  10. To determine competency
  11. To consolidate trial
  12. For continuance
  13. To correct sentence
  14. Reduction of bail or review conditions of release
  15. To revoke bail or pretrial release
  16. To forfeit bail
  17. To compel
- (11) Orders that only set hearings.
- (12) Briefs.
- (13) Proposed or requested jury instructions.
- (14) Pretrial conference reports, minutes, or orders.
- (15) Notices of depositions.
- (16) Scheduling notices.

- (17) Requests for transcripts.
- (18) Registered mail receipt cards or letters returned.
- (19) Receipts for evidence.
- (20) Correspondence from attorneys.
- (21) Nonsubstantive correspondence from defendants.
- (22) Application to revoke probation, or to adjudicate guilt, or to revoke deferred judgment.
- (23) Magistrate's transcript.
- (24) Complaint forms.
- (25) Media coordinator requests.
- (26) Appearance of attorney.
- (27) Witness lists.
- (28) Notice of special defense, (i.e., insanity, intoxication, alibi, duress, etc.).
- (29) Iowa R. Crim. P. 2.14(2)(a), disclosure required upon receipt (Notice).
- (30) Application for search warrant.
- (31) Return on search warrant.

**20.5(3)** Divorce/Dissolution of Marriage/Separate Maintenance/Child Support and Paternity case files.

*a.* Retain in files:

- (1) Original notice.
- (2) Petition for divorce, separate maintenance, dissolution of marriage, child support, or to determine paternity.
- (3) Return of service—affidavit of publication.
- (4) Acceptance of service.
- (5) Answer.
- (6) Cross-petition.
- (7) Answer to cross-petition.
- (8) Signed orders (original signed by judge).
- (9) Decrees or decisions of court.
- (10) Amended pleadings (see nos. 2, 5, 6, or 7).
- (11) Writs issued (return of service).
- (12) Entry of default.
- (13) Dismissal.
- (14) Notice of appeal.
- (15) Procedendo from clerk of supreme court.
- (16) Paternity test results.
- (17) Petition or application for modification.
- (18) Answer to petition or application for modification.
- (19) Order for temporary support or temporary custody.
- (20) Stipulations.
- (21) Execution/special execution.
- (22) Satisfaction/partial satisfaction.
- (23) Appearance by attorney or party.
- (24) Assignments of judgments and terminations of assignments.
- (25) Financial affidavits.
- (26) Child support worksheets.
- (27) Confidential information required under Iowa Code section 598.22B.

*b.* Discard from files:

- (1) All duplicates of original documents.
- (2) Bonds.

- (3) Motions/applications:
  1. Amend
  2. Change venue
  3. Dismiss/demurrer
  4. Strike
  5. Quash
  6. More specific statement
  7. Stay
  8. Compel
  9. Sanctions
  10. New trial
  11. Reconsideration
  12. Enlarge and amend (Iowa R. Civ.P. 1.904(2))
  13. Continuance
  14. Examinations of judgment debtor
  15. Withdrawal of attorney
  16. Condemn funds
  17. Citation for contempt
- (4) Response to any motion.
- (5) Briefs.
- (6) Notice of deposition.
- (7) Depositions transcripts.
- (8) Interrogatories and answers to interrogatories.
- (9) Notice of interrogatories.
- (10) Requests for production.
- (11) Response to requests for production.
- (12) Requests for admissions and responses.
- (13) Trial certificates.
- (14) Objections to trial certificates.
- (15) Subpoenas.
- (16) Correspondence.
- (17) Directions to sheriff for service.
- (18) Certificate of reporters re: costs of or taking depositions.
- (19) Order condemning funds.
- (20) Scheduling order or notices.
- (21) Orders that only set hearings.
- (22) Warrant for arrest of contemnor.
- (23) Strike list notices.
- (24) Receipts for exhibits.
- (25) Proof of service by Child Support Recovery Unit.
- (26) Certificate of completion of parent education program.

[Court Order February 17, 1989, effective April 15, 1989; July 26, 1996; October 3, 1997; November 25, 1998; October 27, 1999; November 9, 2001, effective February 15, 2002; October 26, 2017]

**COMMENT:** Rule 20.5 formerly appeared as Iowa Court Rule 22.38. Rule 20.5 conforms to standard court rule numbering. [Court Order October 26, 2017]