

CHAPTER 128
JUDICIAL ADMINISTRATION
S.F. 281

AN ACT relating to judicial administration.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 602.5203, Code 1997, is amended to read as follows:
602.5203 LAW CLERKS.

The court of appeals may employ ~~not more than six~~ attorneys or graduates of a reputable law school to act as legal assistants to the court.

Sec. 2. Section 602.8103, subsection 4, paragraph i, Code 1997, is amended to read as follows:

i. Court files, as provided by rules prescribed by the supreme court, ten years after final disposition in civil cases, or ten years after expiration of all sentences in criminal cases. For purposes of this paragraph, "purging" means the removal and destruction of documents in the court file which have no legal, administrative, or historical value. Purging shall be done without reproduction of the removed documents. For purposes of this paragraph, "civil cases" does not include ~~divorce, dissolution of marriage, child support, or paternity cases, or juvenile, mental health, probate, or adoption proceedings.~~

Sec. 3. Section 602.8107, subsection 5, unnumbered paragraph 1, Code 1997, is amended to read as follows:

If a county attorney does not file the notice and list of cases required in section 331.756, subsection 5, the judicial department may assign ~~obligations~~ cases to the centralized collection unit of the department of revenue and finance or its designee to collect ~~delinquent~~ debts owed to the clerk of the district court.

Sec. 4. Section 692A.5, Code 1997, is amended by adding the following new subsection:
NEW SUBSECTION. 4. The court may order an appropriate law enforcement agency or the county attorney to assist the court in performing the requirements of subsection 1.

Sec. 5. Section 907.4, Code 1997, is amended to read as follows:
907.4 DEFERRED JUDGMENT DOCKET.

A deferment of judgment under section 907.3 shall be reported promptly by the clerk of the district court, ~~or the clerk's designee,~~ to the state court administrator ~~who shall maintain for entry in the deferred judgment docket.~~ The docket shall contain a permanent record of the deferred judgment including the name and date of birth of the defendant, the district court docket number, the nature of the offense, and the date of the deferred judgment. Before granting deferred judgment in any case, the court shall request of the state court administrator a search of the deferred judgment docket and shall consider any prior record of a deferred judgment against the defendant. The permanent record provided for in this section is a confidential record exempted from public access under section 22.7 and shall be available only to justices of the supreme court, judges of the court of appeals, district judges, district associate judges, judicial magistrates, clerks of the district court, and county attorneys requesting information pursuant to this section, or the designee of a justice, judge, magistrate, clerk, or county attorney.

Approved May 7, 1997