

86.26 Judicial review.

1. Judicial review of decisions or orders of the workers' compensation commissioner may be sought in accordance with [chapter 17A](#). Notwithstanding [chapter 17A](#), the Iowa administrative procedure Act, petitions for judicial review may be filed in the district court of the county in which the hearing under [section 86.17](#) was held, the workers' compensation commissioner shall transmit to the reviewing court the original or a certified copy of the entire record of the contested case which is the subject of the petition within thirty days after receiving written notice from the party filing the petition that a petition for judicial review has been filed, and an application for stay of agency action during the pendency of judicial review shall not be filed in the division of workers' compensation of the department of workforce development but shall be filed with the district court. Such a review proceeding shall be accorded priority over other matters pending before the district court.

2. Notwithstanding [section 17A.19, subsection 5](#), a timely petition for judicial review filed pursuant to [this section](#) shall stay execution or enforcement of a decision or order of the workers' compensation commissioner if the party seeking judicial review posts a bond securing any compensation awarded pursuant to the decision or order with the district court within thirty days of filing the petition, in a reasonable amount as fixed and approved by the court. Unless either the party posting the bond files an objection with the court, within twenty days from the date that the bond is fixed and approved by the court, that the amount of the bond is not reasonable, or the party whose interests are protected by the bond files an objection with the court, within twenty days from the date that the amount of the bond is fixed and approved by the court, that the amount of the bond is not reasonable or adequate, the amount of the bond shall be deemed reasonable and adequate. If, upon objection, the district court orders the amount of the bond posted to be modified, the party seeking judicial review shall repost the bond in the amount ordered, within twenty days of the date of the order modifying the bond, in order to continue the stay of execution or enforcement of the decision or order of the workers' compensation commissioner.

[S13, §2477-m33; C24, 27, 31, 35, 39, §1449, 1451; C46, 50, 54, 58, 62, 66, 71, 73, §86.26, 86.28; C75, 77, 79, 81, §86.26]

[86 Acts, ch 1238, §47](#); [88 Acts, ch 1158, §11](#); [95 Acts, ch 140, §3](#); [98 Acts, ch 1061, §11](#); [2001 Acts, ch 87, §7](#); [2017 Acts, ch 23, §20, 24](#)

Referred to in [§85.70, 86.42](#)

2017 amendment applies to injuries occurring on or after July 1, 2017; [2017 Acts, ch 23, §24](#)