

**96.17 Counsel.**

1. *Legal services.* In any civil action to enforce the provisions of [this chapter](#), the department and the state may be represented by any qualified attorney who is a regular salaried employee of the department and is designated by it for this purpose or, at the department's request, by the attorney general. In case the governor designates special counsel to defend on behalf of the state, the validity of [this chapter](#), the expenses and compensation of such special counsel employed by the department in connection with such proceeding may be charged to the unemployment compensation administration fund.

2. *County attorney.* All criminal actions for violations of any provision of [this chapter](#), or of any rules issued by the department pursuant thereto, shall be prosecuted by the prosecuting attorney of any county in which the employer has a place of business or the violator resides, or, at the request of the department, shall be prosecuted by the attorney general.

3. *Indemnification.* Any member of the department or any employee of the department shall be indemnified for any damages and legal expenses incurred as a result of the good faith performance of their official duties, for any claim for civil damages not specifically covered by the Iowa tort claims Act, [chapter 669](#). Any payment described herein shall be paid from the special employment security contingency fund in [section 96.13, subsection 3](#).

[C39, §1551.23; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §96.17]

[96 Acts, ch 1186, §23](#); [2007 Acts, ch 22, §29](#)

Referred to in [§331.756\(18\)](#)