

House Amendment to
Senate File 2345

S-5163

1 Amend Senate File 2345 as follows:

2 1. Page 4, after line 9 by inserting:

3 <Sec. _____. Section 633.20, subsection 3, Code 2009,
4 is amended to read as follows:

5 3. A person appointed as an associate probate
6 judge shall have jurisdiction to audit accounts of
7 fiduciaries and to perform ministerial duties as
8 a referee provided in this section and shall have
9 additional jurisdiction to perform the judicial
10 functions as the court prescribes provided in section
11 633.20D.

12 Sec. _____. **NEW SECTION. 633.20D Associate probate**
13 **judge — jurisdiction — appeals.**

14 1. An associate probate judge shall have
15 the same jurisdiction to conduct probate court
16 proceedings, to issue no-contact or protective orders,
17 injunctions, contempt orders for adults in probate
18 court proceedings, and to issue orders, findings, and
19 decisions as the judge of the probate court. However,
20 the chief judge may limit the exercise of probate court
21 jurisdiction by the associate probate judge.

22 2. The parties to a proceeding heard by an
23 associate probate judge are entitled to appeal the
24 order, finding, or decision of an associate probate
25 judge, in the manner of an appeal from orders,
26 findings, or decisions of district court judges. An
27 appeal does not automatically stay the order, finding,
28 or decision of an associate probate judge.>

29 2. Page 4, after line 9 by inserting:

30 <Sec. _____. Section 665.7, Code 2009, is amended to
31 read as follows:

32 **665.7 Notice to show cause.**

33 Before punishing for contempt, unless the offender
34 is already in the presence of the court, the offender
35 must be served personally with a rule an order to
36 show cause against the punishment, and a reasonable
37 time given the offender therefor; or the offender may
38 be brought before the court forthwith, or on a given
39 day, by warrant, if necessary. In either case the
40 offender may, at the offender's option, make a written
41 explanation of the offender's conduct under oath, which
42 must be filed and preserved.>

43 3. By renumbering as necessary.