

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED JUDICIAL BRANCH  
BILL)

**A BILL FOR**

1 An Act relating to the appointment and removal of clerks of the  
2 district court.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DRAFT

1 Section 1. Section 602.1215, subsection 1, Code 2011, is  
2 amended to read as follows:

3 1. Subject to the provisions of section 602.1209,  
4 subsection 3, ~~the district judges of each~~ chief judge of  
5 the judicial election district, after consultation with the  
6 district judges of the judicial district, shall ~~by majority~~  
7 ~~vote~~ appoint persons to serve as clerks of the district court  
8 within the judicial election district. ~~The district judges of~~  
9 ~~a judicial election district~~ chief judge may appoint a person  
10 to serve as clerk of the district court for more than one but  
11 not more than four contiguous counties in the same judicial  
12 district. A person does not qualify for appointment to the  
13 office of clerk of the district court unless the person is at  
14 the time of application a resident of the state. A clerk of  
15 the district court may be removed from office for cause or for  
16 budgetary reasons ~~by a majority vote of the district judges~~  
17 ~~of the~~ chief judge of the judicial election district. ~~Before~~  
18 Prior to removal, the clerk of the district court shall be  
19 notified of the cause for removal.

20 EXPLANATION

21 This bill relates to the appointment of the clerks of the  
22 district court.

23 The amendment to Code section 602.1215 changes the method  
24 by which the clerk of the district court is appointed. The  
25 amendment permits the chief judge of each judicial district to  
26 appoint the clerk of the district court after consultation with  
27 the district judges of the judicial district. The amendment  
28 also permits the chief judge to remove the clerk of the  
29 district court for cause or budgetary reasons.

30 The clerk under current law is appointed and may be removed  
31 by a majority vote of all districts judges in the judicial  
32 election district.