

STATUTORY MEANING

Christopher McDonald, Justice, Supreme Court of Iowa

October 31, 2019



AN EASY STATUTE?

- “No vehicles shall be allowed in any state park. Violation of this statute shall be punishable as a simple misdemeanor.”



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 - Man drives his 2019 Audi S8 through the park.



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 - VFW has a memorial in park and they change the memorial to include an inoperable World War II Jeep.



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 - Des Moines Bicycle Club rides through park.



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 - A woman uses a motorized wheelchair to access the park.



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 - An ambulance drives into the park to provide medical assistance to a park visitor.



THE SEARCH FOR MEANING

- Foundational premises
 - Law is largely determinate
 - Organic documents create rules of adoption
 - Presume legislature intended change



THE SEARCH FOR MEANING

- Interpretation
- Construction



THE SEARCH FOR MEANING

- Interpretation
 - Code
 - Case law
 - Reference materials
 - Corpus linguistics



THE SEARCH FOR MEANING

- Interpretation
- Construction
 - Code
 - Social facts
 - Case law



COMMUNICATE YOUR MEANING

- Code definitions
- Plain language
- Uniform acts
- Model acts
- Avoid ambiguity

