

(P. 246) 2/5/94 House - Judiciary  
(P. 927) 3/28/94 House - Crime/Do Pass  
W/H-5721

FILED FEB 9 1994

SENATE FILE **2107**  
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 2092)

Passed Senate, Date 2/14/94 (P. 273)  
Vote: Ayes 45 Nays 0  
Passed House, Date 4-11-94 (P. 1359)  
Vote: Ayes 98 Nays 0

Approved April 28, 1994  
Resent 4/12/94  
Vote 47-1

(P. 1148) A BILL FOR

- 1 An Act relating to the jurisdiction of district associate judges.
- 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

SENATE FILE 2107

H-5725

- 1 Amend Senate File 2107, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 8 through 13 and
- 4 inserting the following: "jurisdiction of indictable
- 5 misdemeanors, and felony violations of section 321J.2,
- 6 and to make court appointments and".
- 7 2. Page 1, by striking lines 21 through 27.
- 8 3. By renumbering as necessary.

By COMMITTEE ON JUDICIARY AND  
LAW ENFORCEMENT  
McNEAL of Hardin, Chairperson

H-5725 FILED MARCH 28, 1994

*adopted 4-11-94*  
(P. 1359)

HOUSE AMENDMENT TO  
SENATE FILE 2107

S-5565

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*Senate Concurred 4/12/94* (P. 1148)  
RECEIVED FROM THE HOUSE  
S-5565 FILED APRIL 11, 1994

1 Section 1. Section 602.6306, subsection 2, Code 1993, is  
2 amended to read as follows:

3 2. District associate judges also have jurisdiction in  
4 civil actions for money judgment where the amount in  
5 controversy does not exceed five ten thousand dollars,  
6 jurisdiction over involuntary commitment, treatment, or  
7 hospitalization proceedings under chapters 125 and 229,  
8 jurisdiction over dissolution of marriage actions under  
9 chapter 598 where no matters are in dispute, jurisdiction over  
10 adoption and related termination of parental rights  
11 proceedings under chapters 600 and 600A, jurisdiction of  
12 indictable misdemeanors, and-felony-violations-of-section  
13 3218-2 class "D" felonies, and to make court appointments and  
14 set hearings in criminal matters, jurisdiction to enter orders  
15 in probate which do not require notice and hearing and to set  
16 hearings in actions under chapter 633, and the jurisdiction  
17 provided in section 602.7101 when designated as a judge of the  
18 juvenile court. While presiding in these subject matters a  
19 district associate judge shall employ district judges'  
20 practice and procedure.

21 Sec. 2. Section 602.7101, subsection 2, Code 1993, is  
22 amended to read as follows:

23 2. The jurisdiction of the juvenile court may be exercised  
24 by any district judge, and by any district associate judge who  
25 is-designated-by-the-chief-judge-as-a-judge-of-the-juvenile  
26 court in the case of adoption and related termination actions  
27 under chapters 600 and 600A.

28 Sec. 3. Section 633.13, unnumbered paragraph 2, Code 1993,  
29 is amended to read as follows:

30 A district judge or a district associate judge has  
31 statewide jurisdiction to enter orders in probate matters not  
32 requiring notice and hearing, although the judge is not a  
33 judge of or present in the district in which the probate  
34 matter is pending. The orders shall be made in conformity  
35 with the rules of the district in which the probate matter is

1 pending.

2 EXPLANATION

3 This bill provides that district associate judges have  
4 jurisdiction over adoption proceedings and related termination  
5 of parental rights proceedings, dissolution of marriage  
6 actions in which no matters are disputed, civil disputes up to  
7 \$10,000, instead of \$5,000, all class "D" felonies, orders in  
8 probate not requiring notice and hearing and setting hearings  
9 in probate matters, and setting hearings and court  
10 appointments in criminal matters.

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SENATE FILE 2107  
FISCAL NOTE

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A fiscal note for Amendment H-5725 to Senate File 2107 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note is available from the Legislative Fiscal Bureau to members of the Legislature upon request.

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Amendment H-5725 to SF 2107 limits the jurisdiction of District Associate Judges (DAJs) to reviewing indictable misdemeanors, felony violations of Section 321J.2, Code of Iowa, making court appointments, setting hearings in criminal matters, and entering orders in probate which do not require notice.

DAJs have jurisdiction in civil actions for money judgements where the amount in controversy does not exceed \$10,000, increased from \$5,000.

Assumptions:

1. Case scheduling is not expected to change significantly.
2. It is likely that the Court's workload will not increase as a result of managing routine probate orders.

Fiscal Effect:

Amendment H-5725 to SF 2107 is expected to have no significant fiscal effect on the General Fund because redefining the jurisdiction of the DAJs in civil matters will not result in an increase in caseloads.

Sources:

Judicial Department

(LSB 3497sv, LAM)

FILED APRIL 4, 1994

BY DENNIS PROUTY, FISCAL DIRECTOR

Vilsack  
Sturgeon  
Drake

SSB-2092  
Judiciary

SENATE FILE 2107  
BY (PROPOSED COMMITTEE ON  
JUDICIARY BILL BY CHAIR-  
PERSON STURGEON)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the jurisdiction of district associate judges.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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21 Sec. 2. Section 602.7101, subsection 2, Code 1993, is  
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34 matter is pending. The orders shall be made in conformity  
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EXPLANATION

3 This bill provides that district associate judges have  
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SENATE FILE 2107

AN ACT

RELATING TO THE JURISDICTION OF DISTRICT ASSOCIATE JUDGES.

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

Section 1. Section 602.6306, subsection 2, Code 1993, is amended to read as follows:

2. District associate judges also have jurisdiction in civil actions for money judgment where the amount in controversy does not exceed ~~five~~ ten thousand dollars, jurisdiction over involuntary commitment, treatment, or hospitalization proceedings under chapters 125 and 229, jurisdiction of indictable misdemeanors, and felony violations of section 321J.2, and to make court appointments and set hearings in criminal matters, jurisdiction to enter orders in probate which do not require notice and hearing and to set hearings in actions under chapter 633, and the jurisdiction provided in section 602.7101 when designated as a judge of the juvenile court. While presiding in these subject matters a district associate judge shall employ district judges' practice and procedure.

Sec. 2. Section 633.13, unnumbered paragraph 2, Code 1993, is amended to read as follows:

A district judge or a district associate judge has statewide jurisdiction to enter orders in probate matters not requiring notice and hearing, although the judge is not a judge of or present in the district in which the probate matter is pending. The orders shall be made in conformity

\_\_\_\_\_  
LEONARD L. BOSWELL  
President of the Senate

\_\_\_\_\_  
HAROLD VAN MAANEN  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2107, Seventy-fifth General Assembly.

\_\_\_\_\_  
JOHN F. DWYER  
Secretary of the Senate

Approved *April 28*, 1994

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TERRY E. BRANSTAD  
Governor