

SENATE FILE 2428
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 2176)

Passed Senate, (P. 753) Date 3/13/96
Vote: Ayes 49 Nays 0
Approved _____

Passed House, Date _____
Vote: Ayes _____ Nays _____

A BILL FOR

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

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SENATE FILE 2428

H-5539

1 Amend Senate File 2428, as passed by the Senate, as
2 follows:
3 1. Page 1, by striking lines 1 through 6.
4 2. By renumbering as necessary.

By COMMITTEE ON JUDICIARY
HURLEY of Fayette, Chairperson

H-5539 FILED MARCH 25, 1996

S.F. 2428

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1 Section 1. Section 331.653, subsection 4, Code Supplement
2 1995, is amended to read as follows:

3 4. Provide bailiff and other law enforcement service to
4 the district judges, district associate judges, associate
5 juvenile judges, judicial hospitalization referees, and
6 judicial magistrates of the county upon request.

7 Sec. 2. Section 602.7103, subsection 2, Code 1995, is
8 amended to read as follows:

9 2. The associate juvenile judge shall have the same
10 jurisdiction to conduct juvenile court proceedings and to
11 issue orders, findings, and decisions as the judge of the
12 juvenile court, except that the associate juvenile judge shall
13 not issue warrants, other than warrants in juvenile cases,
14 juvenile nontestimonial identification orders, and arrest
15 warrants for adults charged with contempt in juvenile
16 proceedings. However, the appointing judge may limit the
17 exercise of juvenile court jurisdiction by the associate
18 juvenile judge.

19 Sec. 3. Section 665.4, subsections 2 and 3, Code 1995, are
20 amended to read as follows:

21 2. Before district judges, and district associate judges,
22 and associate juvenile judges, by a fine not exceeding five
23 hundred dollars or imprisonment in a county jail not exceeding
24 six months or by both such fine and imprisonment.

25 3. Before judicial magistrates ~~and juvenile court~~
26 ~~referees,~~ by a fine not exceeding one hundred dollars or
27 imprisonment in a county jail not exceeding thirty days.

28 EXPLANATION

29 This bill provides that the sheriff shall also provide
30 bailiff and other law enforcement service to associate
31 juvenile judges and judicial hospitalization referees in
32 addition to district judges, district associate judges, and
33 magistrates.

34 The bill provides that associate juvenile judges may issue
35 warrants in juvenile cases, juvenile nontestimonial

1 identification proceedings, and contempt proceedings in
2 juvenile court.

3 The bill also provides that associate juvenile judges have
4 the same power to punish contempt of court as district judges
5 and district associate judges. The bill removes an obsolete
6 reference to juvenile court referees.

7 This bill may contain a state mandate under chapter 25B.
8 Section 25B.2 provides that a state mandate will not take
9 effect unless the state appropriates money to cover the cost
10 of the mandate or specifies its share of the cost.

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Hammond
Giannetto
Vilsack
Redfern
Maddox

SSB. 2176
Judiciary

Succeeded By
SF/HF 2428
SENATE FILE
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON GIANNETTO)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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