

Dvorsky
Angelo
Linsman

SSB.3070
Judiciary
Succeeded by
S/HF 22/2

SENATE/HOUSE FILE
BY (PROPOSED JUDICIAL BRANCH
BILL)

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

A BILL FOR

1 An Act concerning the administration of clerk of court offices.

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

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1 Section 1. Section 6B.4, unnumbered paragraph 2, Code
2 Supplement 1999, is amended to read as follows:

3 The chief judge of the judicial district shall select by
4 lot six persons from the list, two persons who are owner-
5 operators of agricultural property when the property to be
6 condemned is agricultural property; two persons who are owners
7 of city property when the property to be condemned is other
8 than agricultural property; and two persons from each of the
9 remaining two representative groups, who shall constitute a
10 compensation commission to assess the damages to all property
11 to be taken by the applicant and located in the county, and
12 shall name a chairperson from the persons selected. A person
13 shall not be selected as a member of the compensation
14 commission if the person possesses any interest in the
15 proceeding which would cause the person to render a biased
16 decision. ~~The clerk-of-the-district-court~~ applicant shall
17 send, by ordinary mail, a list of those persons selected to
18 the ~~applicant-and-to-the~~ owner of the property at the owner's
19 last known address and shall file proof of the mailing with
20 the sheriff. The list shall be provided prior to the mailing,
21 by any party, of a notice of assessment under section 6B.8.
22 If the ~~clerk-of-the-district-court~~ applicant is unable to
23 locate an address for the owner of the property, the list
24 shall be published once in a newspaper of general circulation
25 in the county. ~~The-applicant-shall-reimburse-the-clerk-of-the~~
26 ~~district-court-for-the-cost-of-mailing-and-publication.~~

27 Sec. 2. Section 450.24, Code 1999, is amended to read as
28 follows:

29 450.24 APPRAISERS.

30 In each county the court shall, on or before January 15 of
31 each the year an appointment is required, appoint three
32 competent residents and freeholders of the county to act as
33 appraisers of the real property within its jurisdiction which
34 is charged or sought to be charged with an inheritance tax.
35 The appraisers shall serve for ~~one-year~~ four years, and until

1 their successors are appointed and qualified. They shall each
 2 take an oath to faithfully and impartially perform the duties
 3 of the office, but shall not be required to give bond. They
 4 shall be subject to removal at any time at the discretion of
 5 the court. The court may also in its discretion, either
 6 before or after the appointment of the regular appraisers,
 7 appoint other appraisers to act in any given case. Vacancies
 8 occurring otherwise than by expiration of term shall be filled
 9 by appointment of the court. A person interested in any
 10 manner in the estate to be appraised shall not serve as an
 11 appraiser of that estate.

12 Sec. 3. Section 624.20, Code 1999, is amended to read as
 13 follows:

14 624.20 SATISFACTION OF JUDGMENT.

15 Where a judgment is set aside or satisfied by execution or
 16 otherwise, the clerk shall at once enter a memorandum thereof
 17 on the column left for that purpose in the judgment docket.
 18 However, the clerk may enter satisfaction of judgment if the
 19 amount of the judgment that is unsatisfied is one dollar or
 20 less.

21 Sec. 4. Section 804.21, subsection 6, Code 1999, is
 22 amended to read as follows:

23 6. This section does not prevent the release of the
 24 arrested person pending initial appearance upon the furnishing
 25 of bail in the amount endorsed on the warrant. The initial
 26 appearance of a person so released shall be scheduled for a
 27 time not more than ten thirty days after the date of release.

28 Sec. 5. Section 811.6, subsection 1, Code 1999, is amended
 29 to read as follows:

30 1. A defendant released pursuant to this chapter shall
 31 appear at arraignment, trial, judgment, or such other
 32 proceedings where the defendant's appearance is required. If
 33 the defendant fails to appear at the time and place when the
 34 defendant's personal appearance is lawfully required, or to
 surrender in execution of the judgment, the court must direct

1 an entry of the failure to be made of record, and the
2 undertaking of the defendant's bail, or the money deposited,
3 is thereupon forfeited. As a part of the entry, except as
4 provided in R.Cr.P. 53, the court shall direct the sheriff
5 clerk of the district court of the county to give ten days'
6 notice in writing to the defendant and the defendant's
7 sureties to appear and show cause, if any, why judgment should
8 not be entered for the amount of bail. If such appearance is
9 not made, judgment shall be entered by the court. If
10 appearance is made, the court shall set the case down for
11 immediate hearing as an ordinary action.

12 Sec. 6. Section 910.9, Code 1999, is amended to read as
13 follows:

14 910.9 COLLECTION OF PAYMENTS -- PAYMENT BY CLERK OF COURT.

15 An offender making restitution pursuant to a restitution
16 plan of payment shall make the payment monthly to the clerk of
17 court of the county from which the offender was sentenced,
18 unless the restitution plan of payment provides otherwise. If
19 the restitution plan authorizes payment to an entity other
20 than the clerk of court, that entity shall regularly file a
21 partial or full satisfaction of judgment with the clerk of
22 court concerning amounts collected by that entity.

23 The clerk of court shall maintain a record of all receipts
24 and disbursements of restitution payments and shall disburse
25 all moneys received to the victims designated in the plan of
26 restitution. If there is more than one victim, disbursements
27 to the victims shall be on the basis of the victim's
28 percentage of the total owed by the offender to all victims,
29 except that the clerk of court may decide the allocation of
30 payments owed to a victim of twenty twenty-five dollars or
31 less.

32 Fines, penalties, and surcharges, crime victim compensation
33 program reimbursement, public agency restitution, court costs
34 including correctional fees claimed by a sheriff pursuant to
35 section 356.7, court-appointed attorney's fees, and expenses

1 for public defenders, shall not be withheld by the clerk of
 2 court until all victims have been paid in full. Payments to
 3 victims shall be made by the clerk of court at least
 4 quarterly. Payments by a clerk of court shall be made no
 5 later than the last business day of the quarter, but may be
 6 made more often at the discretion of the clerk of court. The
 7 clerk of court receiving final payment from an offender, shall
 8 notify all victims that full restitution has been made, ~~and a~~
 9 ~~copy of the notice shall be sent to the sentencing court.~~
 10 Each office or individual charged with supervising an offender
 11 who is required to perform community service as full or
 12 partial restitution shall keep records to assure compliance
 13 with the portions of the plan of restitution and restitution
 14 plan of payment relating to community service and, when the
 15 offender has complied fully with the community service
 16 requirement, notify the sentencing court.

EXPLANATION

17
 18 This bill makes several changes governing the duties and
 19 responsibilities of clerks of the district court.
 20 Code section 6B.4 is amended to require the applicant for
 21 condemnation of property rather than the clerk of court to
 22 mail the list of condemnation commissioners to the owner of
 23 the property and to require the applicant to file proof of the
 24 mailing with the sheriff.
 25 Code section 450.24 is amended to increase the term of
 26 office for inheritance real estate appraisers from one to four
 27 years.
 28 Code section 624.20 is amended to permit a clerk of court
 29 to enter satisfaction of judgment if the judgment remaining is
 30 \$1 or less.
 31 Code section 804.21 is amended to extend the time for an
 32 initial appearance from 10 days to 30 days after arrest and
 33 subsequent release on bail.
 34 Code section 811.6 is amended to require the clerk, rather
 than the sheriff, to provide 10 days' notice to the defendant

1 and the defendant's sureties of entry of judgment for
2 forfeited bail.

3 Code section 910.9 is amended concerning the collection of
4 restitution payments. The bill provides that if an entity
5 other than the clerk is authorized to receive payments, that
6 entity shall regularly notify the clerk about the receipt of
7 such payments. In addition, the Code section is amended to
8 permit the clerk to allocate payments among multiple victims
9 at its discretion, instead of pursuant to a set percentage of
10 the total owed to each victim, when the payment to a victim
11 would be \$25 or less. The Code section is also amended to
12 eliminate the requirement that the sentencing court be
13 notified when full restitution has been made.

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MEMORANDUM

TO: MEMBERS OF THE GENERAL ASSEMBLY

FROM: IOWA JUDICIAL BRANCH

DATE: JANUARY 27, 2000

RE: TLSB 5345DP

The purpose of this bill is to clarify certain duties, eliminate outdated procedures and practices, increase efficiency in offices of the clerk of the district court, and make other technical changes concerning the administration of the judicial system.

Section 1 amends Iowa Code section 6B.4 to require the applicant in a condemnation proceeding to serve notice of the names of the compensation commissioners on the owner of the property being condemned. With the exception of the chief judge's approval of an application for condemnation, the courts are not involved in condemnation proceedings unless the matter is appealed to the district court. While the clerk does not have the names of the commissioners appointed by the chief judge, the applicant in the proceeding does. It would be more efficient and direct for the applicant to have the responsibility of notifying the property owner of the selection of the commissioners rather than the applicant paying the clerk to do so.

Section 2 provides for inheritance tax appraisers to be appointed for four (4) year terms, rather than one (1) terms. In most counties these appraisers are reappointed annually so it would be more efficient to allow for longer terms.

Section 3 amends section 624.20 to permit clerks of the district court to enter satisfaction of a judgment if the amount remaining is \$1 or less. Occasionally, litigants inadvertently submit the wrong amount to satisfy a judgment. No matter how minuscule the amount, it remains on the books. If it is an outstanding debt owed to the state, it automatically triggers collection efforts that cost considerably more than the debt owed. This provision will give clerks of the district court discretion to enter satisfaction on such debts where the balance is \$1 or less.

Section 4 would provide that initial appearances of certain persons released on bail must be held within thirty (30) days rather than ten (10) days. Many law enforcement officers direct recipients of citations to appear within two or three weeks of receiving a citation. This appears to work well for both law enforcement and the courts.

Section 5 transfers the duty of notifying a defendant and their sureties when an entry of judgment for forfeited bond has been entered from the county sheriff to the clerk of the district court. Current law requires unnecessary work for the sheriff who must first obtain the information from the clerk. Since there is no requirement of personal service, it would make more sense for the clerk to mail the information to the defendant and their sureties rather than the sheriff.

Section 6 makes several changes in the collection and processing of restitution payments. First, section 910.9 is amended to require entities collecting restitution to notify the clerk of the district court of amounts collected. Currently, there is no requirement for entities such as the department of human services or crime victims' assistance agencies that collect restitution to report the amounts collected to the clerk of the district court. Since the court record is then incomplete,

this can cause problems for defendants who are making payments but not receiving proper credit for them.

Section 6 also clarifies when a clerk of the district court may allocate restitution payments among multiple victims. Under current law, if a restitution payment is insufficient to cover the total amount due, the payment is divided proportionately between the victims, except when the amount is less than \$20. If the amount is less than \$20, the clerk of the district court has discretion to pay the total amount received to one of the victims. The proposed changes clarify that the exception is triggered by the amount of the payment, not the amount of the restitution to be received by the victims, and increases the amount to \$25.

Finally, section 6 deletes the requirement that the clerk of the district court must provide notice to the sentencing court of receipt of the final restitution payment from a defendant. The notation made on the docket is sufficient and notifying the sentencing judge is unnecessary.

If you have questions, please contact David Boyd at 281-5241.

Substitutes for HF 2432
3/23/00
(P.968)

FILED FEB 17 2000

SENATE FILE 2212
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 3070)

Passed Senate, ^(P.456) Date 2/29/00 Passed House, ^(P.969) Date 3/23/00
Vote: Ayes 48 Nays 0 Vote: Ayes 99 Nays 0
Approved March 31, 2000

A BILL FOR

1 An Act concerning the administration of clerk of court offices.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2212

1 Section 1. Section 6B.4, unnumbered paragraph 2, Code
2 Supplement 1999, is amended to read as follows:

3 The chief judge of the judicial district shall select by
4 lot six persons from the list, two persons who are owner-
5 operators of agricultural property when the property to be
6 condemned is agricultural property; two persons who are owners
7 of city property when the property to be condemned is other
8 than agricultural property; and two persons from each of the
9 remaining two representative groups, who shall constitute a
10 compensation commission to assess the damages to all property
11 to be taken by the applicant and located in the county, and
12 shall name a chairperson from the persons selected. A person
13 shall not be selected as a member of the compensation
14 commission if the person possesses any interest in the
15 proceeding which would cause the person to render a biased
16 decision. ~~The clerk-of-the-district-court~~ applicant shall
17 send, by ordinary mail, a list of those persons selected to
18 the ~~applicant-and-to-the~~ owner of the property at the owner's
19 last known address and shall file proof of the mailing with
20 the sheriff. The list shall be provided prior to the mailing,
21 by any party, of a notice of assessment under section 6B.8.
22 If the ~~clerk-of-the-district-court~~ applicant is unable to
23 locate an address for the owner of the property, the list
24 shall be published once in a newspaper of general circulation
25 in the county. ~~The-applicant-shall-reimburse-the-clerk-of-the~~
26 ~~district-court-for-the-cost-of-mailing-and-publication-~~

27 Sec. 2. Section 450.24, Code 1999, is amended to read as
28 follows:

29 450.24 APPRAISERS.

30 In each county the court shall, on or before January 15 of
31 each the year an appointment is required, appoint three
32 competent residents and freeholders of the county to act as
33 appraisers of the real property within its jurisdiction which
34 is charged or sought to be charged with an inheritance tax.
35 The appraisers shall serve for one-year four years, and until

1 their successors are appointed and qualified. They shall each
2 take an oath to faithfully and impartially perform the duties
3 of the office, but shall not be required to give bond. They
4 shall be subject to removal at any time at the discretion of
5 the court. The court may also in its discretion, either
6 before or after the appointment of the regular appraisers,
7 appoint other appraisers to act in any given case. Vacancies
8 occurring otherwise than by expiration of term shall be filled
9 by appointment of the court. A person interested in any
10 manner in the estate to be appraised shall not serve as an
11 appraiser of that estate.

12 Sec. 3. Section 624.20, Code 1999, is amended to read as
13 follows:

14 624.20 SATISFACTION OF JUDGMENT.

15 Where a judgment is set aside or satisfied by execution or
16 otherwise, the clerk shall at once enter a memorandum thereof
17 on the column left for that purpose in the judgment docket.
18 However, the clerk may enter satisfaction of judgment if the
19 amount of the judgment that is unsatisfied is one dollar or
20 less.

21 Sec. 4. Section 804.21, subsection 6, Code 1999, is
22 amended to read as follows:

23 6. This section does not prevent the release of the
24 arrested person pending initial appearance upon the furnishing
25 of bail in the amount endorsed on the warrant. The initial
26 appearance of a person so released shall be scheduled for a
27 time not more than ten thirty days after the date of release.

28 Sec. 5. Section 804.22, unnumbered paragraph 2, Code 1999,
29 is amended to read as follows:

30 This section and the rules of criminal procedure do not
31 affect the provisions of chapter 805 authorizing the release
32 of a person on citation or bail prior to initial appearance.
33 The initial appearance of a person so released shall be
34 scheduled for a time not more than ten thirty days after the
35 date of release.

1 Sec. 6. Section 811.6, subsection 1, Code 1999, is amended
2 to read as follows:

3 1. A defendant released pursuant to this chapter shall
4 appear at arraignment, trial, judgment, or such other
5 proceedings where the defendant's appearance is required. If
6 the defendant fails to appear at the time and place when the
7 defendant's personal appearance is lawfully required, or to
8 surrender in execution of the judgment, the court must direct
9 an entry of the failure to be made of record, and the
10 undertaking of the defendant's bail, or the money deposited,
11 is thereupon forfeited. As a part of the entry, except as
12 provided in R.Cr.P. 53, the court shall direct the **sheriff**
13 clerk of the district court of the county to give ten days'
14 notice in writing to the defendant and the defendant's
15 sureties to appear and show cause, if any, why judgment should
16 not be entered for the amount of bail. If such appearance is
17 not made, judgment shall be entered by the court. If
18 appearance is made, the court shall set the case down for
19 immediate hearing as an ordinary action.

20 Sec. 7. Section 910.9, Code 1999, is amended to read as
21 follows:

22 910.9 COLLECTION OF PAYMENTS -- PAYMENT BY CLERK OF COURT.

23 An offender making restitution pursuant to a restitution
24 plan of payment shall make the payment monthly to the clerk of
25 court of the county from which the offender was sentenced,
26 unless the restitution plan of payment provides otherwise. If
27 the restitution plan authorizes payment to an entity other
28 than the clerk of court, that entity shall regularly file a
29 partial or full satisfaction of judgment with the clerk of
30 court concerning amounts collected by that entity.

31 The clerk of court shall maintain a record of all receipts
32 and disbursements of restitution payments and shall disburse
33 all moneys received to the victims designated in the plan of
34 restitution. If there is more than one victim, disbursements
35 to the victims shall be on the basis of the victim's

1 percentage of the total owed by the offender to all victims,
2 except that the clerk of court may decide the allocation of
3 payments owed to a victim of twenty twenty-five dollars or
4 less.

5 Fines, penalties, and surcharges, crime victim compensation
6 program reimbursement, public agency restitution, court costs
7 including correctional fees claimed by a sheriff pursuant to
8 section 356.7, court-appointed attorney's fees, and expenses
9 for public defenders, shall not be withheld by the clerk of
10 court until all victims have been paid in full. Payments to
11 victims shall be made by the clerk of court at least
12 quarterly. Payments by a clerk of court shall be made no
13 later than the last business day of the quarter, but may be
14 made more often at the discretion of the clerk of court. The
15 clerk of court receiving final payment from an offender, shall
16 notify all victims that full restitution has been made, ~~and a~~
17 ~~copy of the notice shall be sent to the sentencing court.~~

18 Each office or individual charged with supervising an offender
19 who is required to perform community service as full or
20 partial restitution shall keep records to assure compliance
21 with the portions of the plan of restitution and restitution
22 plan of payment relating to community service and, when the
23 offender has complied fully with the community service
24 requirement, notify the sentencing court.

25 EXPLANATION

26 This bill makes several changes governing the duties and
27 responsibilities of clerks of the district court.

28 Code section 6B.4 is amended to require the applicant for
29 condemnation of property rather than the clerk of court to
30 mail the list of condemnation commissioners to the owner of
31 the property and to require the applicant to file proof of the
32 mailing with the sheriff.

33 Code section 450.24 is amended to increase the term of
34 office for inheritance real estate appraisers from one to four
35 years.

1 Code section 624.20 is amended to permit a clerk of court
2 to enter satisfaction of judgment if the judgment remaining is
3 \$1 or less.

4 Code section 804.21 is amended to extend the time for an
5 initial appearance from 10 days to 30 days after arrest by
6 warrant and subsequent release on bail.

7 Code section 804.22 is amended to extend the time for an
8 initial appearance from 10 days to 30 days after arrest
9 without a warrant and subsequent release on bail.

10 Code section 811.6 is amended to require the clerk, rather
11 than the sheriff, to provide 10 days' notice to the defendant
12 and the defendant's sureties of entry of judgment for
13 forfeited bail.

14 Code section 910.9 is amended concerning the collection of
15 restitution payments. The bill provides that if an entity
16 other than the clerk is authorized to receive payments, that
17 entity shall regularly notify the clerk about the receipt of
18 such payments. In addition, the Code section is amended to
19 permit the clerk to allocate payments among multiple victims
20 at its discretion, instead of pursuant to a set percentage of
21 the total owed to each victim, when the payment to a victim
22 would be \$25 or less. The Code section is also amended to
23 eliminate the requirement that the sentencing court be
24 notified when full restitution has been made.

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SENATE FILE 2212

AN ACT

CONCERNING THE ADMINISTRATION OF CLERK OF COURT OFFICES.

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

Section 1. Section 6B.4, unnumbered paragraph 2, Code Supplement 1999, is amended to read as follows:

The chief judge of the judicial district shall select by lot six persons from the list, two persons who are owner-operators of agricultural property when the property to be condemned is agricultural property; two persons who are owners of city property when the property to be condemned is other than agricultural property; and two persons from each of the remaining two representative groups, who shall constitute a compensation commission to assess the damages to all property to be taken by the applicant and located in the county, and shall name a chairperson from the persons selected. A person shall not be selected as a member of the compensation commission if the person possesses any interest in the proceeding which would cause the person to render a biased decision. ~~The clerk-of-the-district-court applicant~~ shall send, by ordinary mail, a list of those persons selected to the ~~applicant-and-to-the~~ owner of the property at the owner's last known address and shall file proof of the mailing with the sheriff. The list shall be provided prior to the mailing, by any party, of a notice of assessment under section 6B.8. If the ~~clerk-of-the-district-court applicant~~ is unable to locate an address for the owner of the property, the list shall be published once in a newspaper of general circulation

~~in the county. The applicant shall reimburse the clerk of the district court for the cost of mailing and publication.~~

Sec. 2. Section 450.24, Code 1999, is amended to read as follows:

450.24 APPRAISERS.

In each county the court shall, on or before January 15 of each the year an appointment is required, appoint three competent residents and freeholders of the county to act as appraisers of the real property within its jurisdiction which is charged or sought to be charged with an inheritance tax. The appraisers shall serve for ~~one-year~~ four years, and until their successors are appointed and qualified. They shall each take an oath to faithfully and impartially perform the duties of the office, but shall not be required to give bond. They shall be subject to removal at any time at the discretion of the court. The court may also in its discretion, either before or after the appointment of the regular appraisers, appoint other appraisers to act in any given case. Vacancies occurring otherwise than by expiration of term shall be filled by appointment of the court. A person interested in any manner in the estate to be appraised shall not serve as an appraiser of that estate.

Sec. 3. Section 624.20, Code 1999, is amended to read as follows:

624.20 SATISFACTION OF JUDGMENT.

Where a judgment is set aside or satisfied by execution or otherwise, the clerk shall at once enter a memorandum thereof on the column left for that purpose in the judgment docket. However, the clerk may enter satisfaction of judgment if the amount of the judgment that is unsatisfied is one dollar or less.

Sec. 4. Section 804.21, subsection 6, Code 1999, is amended to read as follows:

6. This section does not prevent the release of the arrested person pending initial appearance upon the furnishing of bail in the amount endorsed on the warrant. The initial appearance of a person so released shall be scheduled for a time not more than ~~ten~~ thirty days after the date of release.

Sec. 5. Section 804.22, unnumbered paragraph 2, Code 1999, is amended to read as follows:

This section and the rules of criminal procedure do not affect the provisions of chapter 805 authorizing the release of a person on citation or bail prior to initial appearance. The initial appearance of a person so released shall be scheduled for a time not more than ~~ten~~ thirty days after the date of release.

Sec. 6. Section 811.6, subsection 1, Code 1999, is amended to read as follows:

1. A defendant released pursuant to this chapter shall appear at arraignment, trial, judgment, or such other proceedings where the defendant's appearance is required. If the defendant fails to appear at the time and place when the defendant's personal appearance is lawfully required, or to surrender in execution of the judgment, the court must direct an entry of the failure to be made of record, and the undertaking of the defendant's bail, or the money deposited, is thereupon forfeited. As a part of the entry, except as provided in R.Cr.P. 53, the court shall direct the sheriff clerk of the district court of the county to give ten days' notice in writing to the defendant and the defendant's sureties to appear and show cause, if any, why judgment should not be entered for the amount of bail. If such appearance is not made, judgment shall be entered by the court. If appearance is made, the court shall set the case down for immediate hearing as an ordinary action.

Sec. 7. Section 910.9, Code 1999, is amended to read as follows:

910.9 COLLECTION OF PAYMENTS -- PAYMENT BY CLERK OF COURT.

An offender making restitution pursuant to a restitution plan of payment shall make the payment monthly to the clerk of court of the county from which the offender was sentenced, unless the restitution plan of payment provides otherwise. If the restitution plan authorizes payment to an entity other than the clerk of court, that entity shall regularly file a partial or full satisfaction of judgment with the clerk of court concerning amounts collected by that entity.

The clerk of court shall maintain a record of all receipts and disbursements of restitution payments and shall disburse all moneys received to the victims designated in the plan of restitution. If there is more than one victim, disbursements to the victims shall be on the basis of the victim's percentage of the total owed by the offender to all victims, except that the clerk of court may decide the allocation of payments owed to a victim of twenty twenty-five dollars or less.

Fines, penalties, and surcharges, crime victim compensation program reimbursement, public agency restitution, court costs including correctional fees claimed by a sheriff pursuant to section 356.7, court-appointed attorney's fees, and expenses for public defenders, shall not be withheld by the clerk of court until all victims have been paid in full. Payments to victims shall be made by the clerk of court at least quarterly. Payments by a clerk of court shall be made no later than the last business day of the quarter, but may be made more often at the discretion of the clerk of court. The clerk of court receiving final payment from an offender, shall notify all victims that full restitution has been made, ~~and a copy of the notice shall be sent to the sentencing court.~~ Each office or individual charged with supervising an offender who is required to perform community service as full or partial restitution shall keep records to assure compliance with the portions of the plan of restitution and restitution

Senate File 2212, p. 5

plan of payment relating to community service and, when the offender has complied fully with the community service requirement, notify the sentencing court.

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2212, Seventy-eighth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved March 31, 2000

THOMAS J. VILSACK
Governor