

Senate Study Bill 3033 - Introduced

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:

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.