

Senate File 464 - Introduced

SENATE FILE 464
BY COMMITTEE ON JUDICIARY

(SUCCESSOR TO SSB 1063)

(COMPANION TO HF 267 BY
COMMITTEE ON JUDICIARY)

A BILL FOR

1 An Act relating to clerks of court, including the number
2 of counties in which a clerk may serve and residency
3 requirements.

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

1 Section 1. Section 602.1215, subsection 1, Code 2019, 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 judicial election
5 district shall by majority vote appoint persons to serve as
6 clerks of the district court within the judicial election
7 district. The district judges of a judicial election district
8 may appoint a person to serve as clerk of the district court
9 for more than one ~~but not more than four contiguous counties~~
10 county in the same judicial district. A ~~person does not~~
11 ~~qualify for appointment to the office of~~ clerk of the district
12 court ~~unless the person is at the time of application a~~ must
13 be a resident of the state within ninety days of appointment.
14 A clerk of the district court may be removed from office
15 for cause by the chief judge of the judicial district, after
16 consultation with the district judges of the judicial election
17 district. Prior to removal, the clerk of the district court
18 shall be notified of the cause for removal.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to clerks of court. Currently, a clerk of
23 court may be appointed to serve more than one but not more than
24 four contiguous counties in the same judicial district. The
25 bill removes the limit on the number of counties. Currently,
26 an applicant for a clerk of court must be a resident of the
27 state at the time of application. The bill provides that
28 an appointed clerk must be a resident within 90 days of
29 appointment.