

**TO:** Iowa General Assembly  
Secretary of the Senate, Michael E. Marshall  
Chief Clerk of the House of Representatives, Margaret Thomson

**FROM:** Hon. Louis A. Lavorato, Chief Justice  
Supreme Court of Iowa

**DATE:** March 20, 2003

**RE:** Clerk of Court Study Committee Report

Attached please find the final report submitted to the supreme court by the study committee regarding the efficient operation and management of the clerks of the district court offices. The report was prepared pursuant to 2002 *Iowa Acts, Chapter 1003, Section 176*.

**REPORT OF THE IOWA SUPREME COURT  
LEGISLATIVE STUDY COMMITTEE ON THE ORGANIZATION  
OF OFFICES OF THE CLERKS OF THE DISTRICT COURT**

**A. BACKGROUND FOR THE LEGISLATIVE STUDY COMMITTEE’S WORK**

**The historical perspective**

At the most fundamental level, the need for and the work of this Committee arises from the economic hardships faced by the State of Iowa and three years of budget cuts to the Judicial Branch. Despite these financial hard times, the constituents of the Judicial Branch, including lawyers, judges, judicial branch employees, state agencies, and the people of Iowa, insist upon the highest level of service in the form of fully functioning county courthouses with fully functioning Clerk of Court Offices in each of Iowa’s ninety-nine counties. This demand for appropriate service is so great that the committee’s mandate explicitly excludes considering closing any Clerk of Court’s Offices.

The Iowa legislature, in House File 2627, Acts of the 2002 General Assembly, Section 176, directed the Iowa Supreme Court to establish a study committee to provide findings and recommendations to the Court so that the Court could submit a report to the general assembly “regarding the efficient operation and management of the clerk of courts offices in every county of the state.” As required by this statute, the study committee members included representatives of key court stakeholder groups including legislators, members of the general public, county officials, court employees, clerks of court, a judge, attorneys representing urban and rural areas of the state, a probation/parole supervisor of the Department of Correctional Services, and a member of the Iowa Land Title Association.

In the last three fiscal years, mandated budget cuts imposed upon the Judicial Branch have resulted in layoffs of staff in the offices of the clerks of the Iowa district courts and in court administration. They have also led to layoffs of mental health hospitalization referees and juvenile court referees. Due to these budget cuts, some vacancies in the office of clerk of the district court and clerk’s office staff positions caused by retirements or resignations have remained vacant.

As the Committee considered time and money saving alternatives, the members agreed it was important to note that if the people of Iowa demand a particular level of court services, they should be prepared to pay for it. For this reason, the Committee believes the Legislature should fully fund the Judicial Branch budget. Only then can the Judicial Branch fully, efficiently, and adequately serve the needs and demands of the people of Iowa for prompt, efficient court services.

## **B. THE LEGISLATIVE STUDY COMMITTEE'S WORK**

The Supreme Court appointed the Legislative Study Committee on December 5, 2002. The Committee met on January 10, January 31, and February 14, 2003. Due to the compressed time frame for the Committee's work, much of the correspondence with the Committee members was accomplished by e-mail. At the first meeting, committee members proposed and discussed twenty-three ideas regarding improvements for the organization and management of the Clerk of Courts Offices in each of Iowa's ninety-nine counties. The Committee consolidated these ideas into three different areas for further discussion, and formed three sub-committees to work on the recommendations.

Prior to the second meeting, drafts of recommendations and proposals were circulated within the sub-committees and were presented at the second meeting of the Committee. After wide-ranging discussions on these recommendations, final recommendations were prepared and presented to the final meeting of the Committee, resulting in this report. The Committee makes these recommendations understanding that many of them overlap and are related to each other. Some recommendations relate to on-going projects and work by other commissions and committees appointed by the Iowa Supreme Court.

## **C. THE LEGISLATIVE STUDY COMMITTEE'S RECOMMENDATIONS**

### **RECOMMENDATION I**

Improve electronic access to the courts.

#### **RATIONALE**

Budget restrictions in the past three years resulted in staff reductions in the clerk's offices. These staff reductions make it imperative that new procedures be implemented to improve efficiency. The clerk of court's office is a public service office closely related to record management, the records being the records of the district court. Presently, the clerks' offices maintain paper records of court actions and electronic records of the docket and financial records. The electronic docket and financial records are maintained in electronic form on ICIS, the Iowa Court Information System. Converting paper records to electronic records using an integrated electronic document management system would bring efficiencies by allowing instant and simultaneous electronic access to entire court files. The clerk then would not have to find the paper file, or deliver it to the user, and also does not have to physically place filed documents in the paper file. Remote access to the court file by court users means fewer trips to the courthouse and fewer demands on the clerks' time.

A long-term benefit to an electronic document management system includes the reduction of requirements for paper storage both in the courthouse and outside the courthouse. This would save off-site travel and recovery time to fetch court files back to the courthouse from distant storage areas.

Expanded access to ICIS information for all court users prior to the implementation of an electronic document management system would further provide more time for clerks to do core functions (docketing, filing, providing general public information).

## **IMPLEMENTATION CONSIDERATIONS**

The Judicial Branch must be able to implement both short-term planning and long-term planning for successful implementation of an electronic document management system project statewide. Some of the short-term planning has already been accomplished. A pilot project for an electronic document management system in two counties was proposed and developed, but was shelved in April of 2001 due to budget shortfalls. Much of that planning is still usable. The Committee realizes that an electronic document management system project may take some time to implement. Until that system is in place, the Committee recommends the Supreme Court and the Legislature prepare for electronic document management and meet current challenges using current technology by taking the following four actions:

### **Action A**

For an electronic document management system to be effective, court rules for records management will need to be revised. A sub-committee of the Judicial Council has developed records management rules for the district court clerk's offices. Court rules adopted by the Supreme Court for records management in the clerk's office would promote efficient, effective trial court records management without the need to obtain statutory approval for every minor change. These rules would also help implement electronic document management.

Attached as Appendix 1 is the proposed Records Management Rule. It incorporates all of the present provisions of Sections 602.8103(3) and (4) of the Iowa Code. This Rule also clarifies many areas of records management, and incorporates Iowa Ct.R. 22.37, the present court records purging rule. Placing all court records management rules under the control of the Judicial Branch would allow the Supreme Court to further fine-tune the efficiencies of the clerks' offices in records management areas. Attached as Appendix 2 are proposed modifications to Sections 602.8102(2) and 602.8103 of the Iowa Code to authorize this proposed Rule.

### **Action B**

Direct and unassisted access to ICIS and other court records by certain outside entities would result in less pressure on clerk of court staff. County attorneys, the Department of Correctional Services, abstracters and law enforcement agencies all indicate they need enhanced ICIS access in a format workable for them. In the short-term, we recommend the Supreme Court establish a multi-disciplinary committee to review the opportunities for enhanced access to ICIS and other court records. This access would include a code and court rule review for changes that would give certain court users read-only ICIS access to more case information. In addition, this committee should examine the statutory and rule requirements for "certified copies" of court

documents, since these documents require more staff time and effort than a regular copy or fax copy.

### **Action C**

Other technologies should be made available to clerks to improve clerk efficiency. Among those are allowing for increased use of e-mail for copy distribution to lawyers, and to entities that work with the court on a routine basis. Existing fax machines in clerks' offices were purchased for light volume work. However, increased use of fax and e-mail for copy distribution will save both time and postage expense. The Iowa Supreme Court has recently amended two Rules of Civil Procedure to allow e-mail service of court documents between attorneys. Appendix 3 includes a copy of Iowa R.Civ.P. 1.442(2), and 1.443(2). The Committee recommends that the Supreme Court consider amending Iowa R.Civ.P. 1.442(6) to provide that notice of orders or judgments may be served by mail or by e-mail to attorneys whose e-mail addresses have been provided to the clerk. At the present time, a special program in the Lotus Notes e-mail system available to the clerks allows clerks to e-mail orders in electronic format to attorneys. That add-on program provides internal security for limiting the persons with access to the system, and provides a date and time stamp to be added to the electronic document showing the date and time of filing. This program is presently working well in various larger counties in the state.

### **Action D**

The Committee finally recommends as a long-term implementation goal the consideration of alternative funding mechanisms for obtaining the technology and software to implement an electronic document management system state-wide. Given the perception that general fund balances will be difficult to increase within the short-term, an alternative source of funding that merits consideration is bonding these costs. Such an alternative, of course, requires enabling legislation.

## **RECOMMENDATION II**

Establish uniform clerk of court office hours in counties of comparable workload statewide.

### **RATIONALE**

The people of the state of Iowa have become accustomed to having clerk of courts office open full-time, that is from 8:00 a.m. to 4:30 p.m., Monday through Friday, except for legal holidays. If the Judicial Branch has insufficient resources to provide full public access during those hours in all clerks' offices, a consistent plan for reduced hours should be considered providing as much open access as resources will allow. The Committee agrees that each county clerk of courts office should provide some public access each workday.

## **IMPLEMENTATION CONSIDERATIONS**

Workload assessments made by clerks of court in conjunction with the district court administrators, have in the past shown that certain offices cannot meet the standards for processing the workload. Budget shortfalls for the Judicial Branch have caused these problems. The Committee acknowledges that the Supreme Court's policy has been that as many clerks offices as possible should be open full-time. When not possible, however, a reduction in access should be implemented consistently across the state. Issues related to security, both staff security and financial security, should be considered when adopting any policy for standardized hours. The Iowa Public Records law must also be considered. Iowa Code section 22.4 provides that where an office of the custodian of public records is not open thirty hours per week, it must still allow persons access

“. . . from nine o'clock a.m. to noon and from one o'clock to four p.m. Monday through Friday, excluding legal holidays.”

The Committee recommends the Supreme Court adopt a policy by a published court rule that if a clerk of court office must be closed to the public to allow time for the staff to process the workload, the hours open to the public should be uniform throughout the state. The Court should also consider a policy requiring mail slot access for users to file documents late in the day if an office is not open. See Iowa Code section 4.1(34) (computing time for last day to commence a legal action).

## **RECOMMENDATION III**

Permanently establish a Standing Committee within the Judicial Branch to continue to develop and recommend statewide “best practices” standards for all clerks of court offices.

### **RATIONALE**

The term “best practices” means the most efficient and effective ways to do work tasks. Staff workers in the clerk of courts offices perceive a need for a method to provide ideas from line workers and clerks of court to implement “best practices” in the clerks’ offices. Although court administration and the Clerks of Court have the direct management responsibility for managing clerks offices, there appears to be a need for workers in the bargaining unit to have both information regarding policies and practices that are adopted and a method to make recommendations concerning those policies and practices that directly affect them.

## **IMPLEMENTATION CONSIDERATIONS**

The Supreme Court should establish a broadly based Standing Committee to consider best practices in the clerks of court offices. The implementation of this recommendation depends upon adequately funding the budget of the Judicial Branch.

## **RECOMMENDATION IV**

Regularly up-date the Clerks' Manual describing the duties and responsibilities of the clerks of district court and the clerk's office staff.

### **RATIONALE**

There presently exists a Clerks' Manual. A committee of the Iowa Supreme Court is charged with keeping it up-dated. Budget constraints over the past two years have prohibited the committee from meeting in person, which is critical for discussion and resolution of the many issues addressed in the manual. The Clerks' Manual does need to be up-dated to incorporate the most recent version of instructions for data entry and for maintaining accurate statistics across the state. It should also incorporate the most recent best practices standards.

### **IMPLEMENTATION CONSIDERATIONS**

The Clerks' Manual committee needs to be reinvigorated, and funded, to bring the Manual up-to-date. That committee should then work with technology staff to produce an automated version accessible to all clerk's staff in an electronic format.

## **RECOMMENDATION V**

Provide education and training of clerks and clerks' staff on technology and best practices.

### **RATIONALE**

The Judicial Branch Education Advisory Committee, including judges and various types of court staff, is currently developing a long-range plan for implementing orientation and continuing education programs for court staff. The Supreme Court identified staff education and training as a top priority two years ago, but budget cuts have caused the cancellation of most staff education and training. Without continuing education and training of staff, efficiency of clerk of courts staff will decline. Without proper training and education, court staff has little incentive to follow procedures they do not understand, and have not been trained in.

### **IMPLEMENTATION CONSIDERATION**

Funding of the judicial budget is critical for continuing staff training and education. Lack of training further degrades the efficiencies of clerk of courts staff, and sends the message that the state cannot afford efficient, well-trained public servants.

## **RECOMMENDATION VI**

Give the chief judge of each district authority to appoint clerks of the district court and to remove them for cause after consulting with the judges in the judicial district.

### **RATIONALE**

The present statutory provision for appointment of the Clerks of Court requires a majority vote of the District Judges in the district to either appoint a clerk or to remove a clerk for cause. This provision of the Code, Section 602.1215(1), was adopted by the legislature in 1983 when the State Judicial Branch took over the operation of the clerks' offices, and clerks were then no longer independently elected county officials. This provision causes some confusion among clerks of court, and their employees, as to who is the supervisor and ultimate appointing management authority for the clerk of court. Section 602.1211(1) of the Code provides that the chief judge of a judicial district shall supervise all judicial officers and court employees serving within the district. The differences between these two Code sections causes the difficulty.

Since the Committee is recommending in Recommendation VII that one clerk of the district court be allowed to supervise more than one office, we discussed the anachronistic requirement of residency found in Iowa Code section 602,1215. We recommend the requirement be removed because it no longer serves a useful purpose. It may even impede recruitment of the best candidates for vacant positions.

### **IMPLEMENTATION CONSIDERATIONS**

Providing for the appointment and removal from office of a clerk of the district court by the chief judge of the district requires an amendment to Section 602.1215(1) of the Code of Iowa. Attached as Appendix 4 is a proposed amendment authorizing this change. Implementation of this recommendation should result in the elimination of Section 602.1216 of the Code, since it is an anachronism.

## **RECOMMENDATION VII**

Allow one person to be the clerk of district court for multiple counties.

### **RATIONALE**

Under the last round of budget cuts, the cost of replacing a clerk who retired or resigned in smaller counties became prohibitive. The office of the clerk of court could remain open if an acting clerk was appointed from another county in close proximity. At the present time there are sixteen counties with an acting clerk who are also either the clerk of court or acting clerk in another county. This strategy has in some cases prevented the lay-off of the least senior member of the clerk's staff in the county having a clerk of the district court vacancy. The annual savings,

estimated to be \$374,234.80, are shown in Appendix 5. Experience with this system has shown that few if any problems have arisen with providing the required level of service to the people of the State without an appointed resident clerk of court. The Committee was unanimous that only clerk of the district court positions vacant through normal attrition should be filled by this method.

### **IMPLEMENTATION CONSIDERATIONS**

The Committee believes that the chief judge of each district should be able to appoint a clerk for a county in the district when a vacancy occurs in the office of the clerk of the district court. The following four implementation actions are recommended:

#### **Action A**

Section 602.1215 should be amended as shown in Appendix 4.

#### **Action B**

The Supreme Court should adopt a policy that multi-county clerk of district court positions shall be created only when a vacancy occurs in the office of clerk of the district court.

#### **Action C**

The salary schedule for clerks of the district court supervising more than one office should be fair and commensurate with the duties assumed and the complexities of the additional responsibilities.

#### **Action D**

Any existing clerk appointed to be clerk of the district court in a separate county should serve in the position of clerk in the additional county or counties at the pleasure of the chief judge, but may be removed as clerk of the district court in the first/original county only for cause.

### **RECOMMENDATION VIII**

Establish an appropriate number of supervisory personnel, including a minimum of one supervisor per office, to be maintained in each clerk of court office.

### **RATIONALE**

The Judicial Branch currently aspires to maintain a staff-to-supervisor ratio of ten-to-one. While this ratio is workable in larger offices, it does not work in offices with fewer than ten staff

positions. In those offices, the clerk of the district court is the on-site supervisor. When there is a clerk of the district court supervising a smaller office from another county, there may be no on-site supervisor. It is appropriate that at least one person on staff be in a supervisory position in order to perform the tasks such as staff training, auditing and handling of local personnel issues on an immediate basis. This will also maintain the required standards of personnel confidentiality and quickly address otherwise routine public inquiries and complaints.

### **IMPLEMENTATION CONSIDERATION**

This recommendation can be achieved without code or court rule changes. The Judicial Branch can implement this recommendation internally without coordination or involvement with constituent groups or agencies.

### **RECOMMENDATION IX**

Share and consolidate common tasks among clerks' offices through coordinating the use of staff and technology.

### **RATIONALE**

Some clerks' offices are presently overburdened as a result of staffing shortages. These shortages may result from unfilled vacancies in staff positions, lengthy staff illnesses, staff vacations and discrepancies in the existing staffing formula. In attempting to address this workload crisis, clerks of court have identified areas where staff in one county may be used to assist in another county clerks' office. Coordinating or consolidating certain staff functions not visible to or affecting court users may enable clerks to continue to provide other more readily visible services at the local level.

### **IMPLEMENTATION CONSIDERATIONS**

Sharing staff between counties can be accomplished either using travel by staff members, or utilizing technology through remote computer access. Physical travel does result in mileage costs, and in the loss of hands-on work time. Sometimes, however, physical travel is the only option when minimum staffing levels cannot be met. Imposing travel on staff members may be met with resistance and may impact the morale of staff members who are suddenly required to begin traveling.

Remote computer access, or what is sometimes referred to as "e-travel," seems to be the most efficient means of staff sharing. Remote access seems to be viable in several situations, including certain accounting and bookkeeping functions. The limitations of remote access must be explored with technology staff, as there may be constraints related to the potential impact on network and server performance. These limitations may vary from county to county, depending upon communication lines, location of servers, and size of servers.

Remote bookkeeping assistance brings an added benefit of achieving additional segregation of duties within the bookkeeping process, thus providing more security on the financial transaction side of the office. A best practices committee can document specific methods for consolidating various bookkeeping tasks through the use of remote access. See Recommendation III, above.

The best option for assisting with traffic ticket data entry is to encourage law enforcement in the use of ECCO (ElectroniC Citations On-line). The experience of many clerks with the use of ECCO by the Iowa State Patrol is very positive. The Judicial Branch should actively encourage law enforcement to move rapidly toward implementation of the use of ECCO system to electronically transmit traffic tickets from law enforcement agencies to the proper ICIS files.

The Committee also identified certain jury management functions, probate delinquency notices and Iowa Rule of Civil Procedure 1.944 notices as areas for potential function sharing.

The Committee recommends considering freeing local clerks of court offices from some fine collection duty by creating a fine collection center handling uncontested traffic, watercraft and conservation citation violations. This type of centralized fine collection is in operation in Missouri, Delaware and Connecticut. The Judicial Branch and the legislature would not have to reinvent the wheel in such a system, as the experience of other states can be used to at least regionalize some fine collections.

#### **AN ADDITIONAL CONSIDERATION**

Since the Committee had a short length of time to consider its charge, certain matters could not be investigated. By maintaining clear lines of authority, clear open channels of communication, and continual training and education, the Judicial Branch can adjust to provide service in lean times.

PROPOSED IOWA SUPREME COURT  
COURT RULES FOR RECORDS MANAGEMENT

GENERAL STATEMENT OF PURPOSE

The purpose of these rules is to provide service to the people of the State of Iowa by managing court records in such a way that the actions of the courts are available when needed and protected when required. To these ends, the rules for records management and retention are meant to provide efficient, secure and sure access to the records of actions taken in and by the trial courts serving the people of the State of Iowa. These rules govern record keeping practices of the Clerks of Court of the District Court of the State of Iowa. These rules provide uniformity of definitions, practices and procedure relating to the records of the Iowa trial courts, including the District Court, the District Associate Courts and Magistrate Courts.

CHAPTER ONE

DEFINITIONS

Unless separately defined in another Chapter, the following definitions apply in this Rule:

1. "Records" includes all data in written, electronic, digital, audio or video form relating in any way to the activities of the District Court, District Associate Court, or Magistrate Court in Iowa, and all of their subdivisions. It also includes all administrative data required to be maintained by the Clerks of Court, the District Court Administrators and other
- Appendix 1

officials under the direct supervision and control of the District Courts of Iowa.

2. "Court File" means the original documents required to be and actually filed with the Clerk relating to a specific case or matter. "Court File" also means a reopened file with copies of reproduced documents after the original file was purged. It does not include any documents not required to be filed with the Clerk but served upon other parties. The Rules of Civil Procedure of the Iowa Supreme Court control the determination of whether and when a document is to be placed in a court file if presented to the Clerk of Court.

3. "Active Files" are court files relating to matters which have not been disposed of by the Court by final ruling, dismissal or other official actions of the Court or parties.

4. "Inactive Files" are all files except active files. They also include those files that do not require court action. Inactive files include, without limitation, mechanics liens, distress warrants, hospital liens, miscellaneous liens, bankruptcy filings under Chapter 626C of the Code, and transcript of judgment.

5. "Reproduce" as applied to court records means changing the data included in a record from one format into another by transferring the data to any reasonably permanent legible format, including, but not limited to, photographing, photostating,

microfilming, computer cards, and electronic digital format.

"Reproduction" means the process of transferring the data, and shall include proper indexing of the data.

6. "Destroy" means to cause to be made illegible, and includes, but is not limited to, incineration, shredding, placing in a landfill, and transmission of the original records which are of general historical interest to any recognized historical society or association after reproduction.

7. "Retention" or "retain" means to maintain, in a permanent legible form, data under control of the Clerk of Court.

The term also includes the proper indexing and maintenance of accessibility of the data and the indexes.

8. "Access" means providing those persons with a legal right the opportunity to read or view data contained in records.

It also includes the introduction of, communication with, or retrieval of data from a computer or computer system.

9. "Purging" means the removal and destruction of documents in a case file which have no legal, administrative or historical value.

10. "Final disposition" means one year after dismissal of the case, after judgment, decree or final order closing, all without appeal, or after procedendo or dismissal of appeal is filed in cases where appeal was filed; provided, however, that such term only relates to civil and probate cases, excluding

juvenile cases.

11. "Sentences imposed" includes all sentencing options pursuant to Section 901.5 of the Code.

12. "Administrative Record" includes fiscal records of the district or of the Clerk's Office; personnel records; general Orders of the Court not related to a specific file; jury management records; and all other records of the Clerk or of the Courts not related to a specific court file.

CHAPTER TWO

ADMINISTRATIVE RECORDS

1. The Clerk may destroy administrative records of the Clerk's Office after five years from the creation of the records, except as specified in the following paragraphs.

2. The clerk shall forward to the district court administrator all personnel records of any previous employees in the clerk's office upon their separation of employment from the Judicial Branch. "Personnel records" for this chapter means the official employee file and all supervisor's files relating to the employee.

3. Administrative orders of the District Court shall be kept until:

- a. The court issues an order for destruction; or
- b. The court issues an order superseding the order to be destroyed; or
- c. The order is permanently reproduced and maintained in a different format.

4. Immigration records in the possession of the Clerk of Court shall be maintained permanently until and unless legislation, either state or federal, provides for other retention or disposition.

CHAPTER THREE

CRIMINAL CASES

1. The Clerk may destroy without reproduction uniform traffic citations in Magistrate Court or traffic and scheduled violations office, one year after final disposition. "Final disposition" in these cases means either dismissal without costs assessed to the defendant, or payment of all moneys owed.

2. The clerk may destroy without reproduction criminal files on ordinance violations one year after final disposition. "Final disposition" in ordinance violation cases means dismissal without costs assessed to the defendant, or payment of all moneys owed.

3. The Clerk may purge criminal case files as follows:

a. Simple misdemeanor files, five years after final disposition.

b. All other misdemeanors, class B, C and D felony case files, ten years after final disposition.

As used in paragraphs 3 and 4, "final disposition" means dismissal of all charges, or expiration of all sentences imposed or the date probation is granted, whichever later occurs. The documents shall be retained or discarded in accordance with the purging lists attached as Appendix II. Purging is governed by Chapter Five of this rule. Criminal files in class B, C and D felony cases, may be destroyed after purging and reproduction.

Class A felony cases files shall not be purged, and may be destroyed only after full reproduction of the entire file, including all transcripts.

4. The Clerk may destroy court reporter's notes and certified transcripts of those notes in simple misdemeanor criminal cases, five years after dismissal of all charges or ten years after the expiration of all sentences imposed or the date probation is granted, whichever later occurs. Court reporter notes and certified transcripts in all other misdemeanor, class B, C and D felony cases, may be destroyed without reproduction ten years after final disposition. Court reporter notes in Class A felony cases shall be maintained until full reproduction of the case file under paragraph 3, and then destroyed.

5. As used in this Chapter 3, "sentences imposed" includes all sentencing options pursuant to Section 901.5 of the Code.

6. Documents such as minutes of testimony and pre-sentence investigation reports, declared confidential by statute or the Rules of Criminal Procedure shall be reproduced in such a manner as to protect their confidentiality.

7. In all criminal cases other than Class A felonies, the clerk may dispose of all exhibits within 60 days after the first to occur of:

- a. Expiration of all sentences imposed in the case.
- b. Order of the court after at least 30 days written notice

to all counsel of record including the last counsel of record for the defense, and to the defendant, if incarcerated, granting the right to be heard on the question.

Disposal of firearms and ammunition shall be by delivery to the Department of Public Safety for disposition as provided by law. Disposal of controlled substances shall be by delivery to the Department of Public Safety for disposal under Section 124.506 of the Code.

(Note: this paragraph 7 is the same as Rule of Criminal Procedure 20(5).)

8. Miscellaneous criminal records.

a. County attorney's subpoenas shall be kept for five years and then, if not placed in a related criminal file, shall be destroyed without reproduction. Search warrants and their returns not placed in any criminal file shall be held for five years and then destroyed without reproduction. Extradition records shall be held for five years from the date of filing and then destroyed without reproduction.

b. Extradition records shall be indexed under the name of the person to be extradited. All other miscellaneous criminal records shall be indexed under the ICIS number of the related case, or any sequential number issued by the clerk for records not entered in ICIS.

c. All other miscellaneous criminal records not mentioned in

subparagraph a above shall be destroyed after five years without reproduction.

CHAPTER FOUR

CIVIL CASES

1. The Clerk may destroy small claims files without reproduction, one year after dismissal with or without prejudice.

2. Court files in civil cases may be destroyed ten years after final disposition; provided, however, that before destruction such files shall be purged and reproduced. For purposes of this paragraph, civil cases do not include juvenile, mental health or adoption proceedings. Documents are to be retained or discarded from civil files in accordance with the purging lists attached as Appendices I, III and IV. Purging is governed by Chapter Five of this Rule.

3. The Clerk may destroy without reproduction court reporters' notes and certified transcripts of those notes in civil cases, ten years after final disposition of the case. For purposes of this paragraph, "final disposition" means one year after dismissal of the case, after judgment or decree without appeal, or after procedendo or dismissal of appeal is filed in cases where appeal is taken.

4. One year after the final disposition of a civil case, the clerk may destroy all exhibits filed with the clerk provided that the clerk shall notify counsel of record in writing that the exhibits will be destroyed unless receipted for, within sixty days thereafter. The clerk may destroy all trial exhibits without

notice two years after final disposition of the case.

(Note: This paragraph is the same as Rule of Civil Procedure 253.1(a), except the word "determination" is changed to "disposition" for definition purposes.)

5. If any civil or equity case is reopened after purging and reproduction, the Clerk shall prepare a new case file folder and place in the new folder a printed copy of all the reproduced documents. Copying the reproduced documents may be waived either by stipulation of all parties filed with a stipulated modification order, or by a specific court order filed with the petition for reopening/modification. The case shall be given the same case number. All documents filed in the reopened file shall be placed in the new folder. The reopened file shall be treated as a new case for all purposes of this Rule; provided, however, that only the new filings shall be purged before reproduction after applicable time limits have expired.

CHAPTER FIVE

PURGING RULE

1. For purposes of this Rule, "purging" means the removal and destruction of documents in the case file which have no legal, administrative or historical value. The documents are to be retained or discarded in accordance with the purging lists attached as Appendices I, II, III and IV.

2. Purging shall be done prior to reproduction of an entire court file in preparation for destruction under this Rule. A file shall be purged only once, pursuant to the provisions of this Rule in effect at the time of purging.

3. Each Clerk of the District Court shall designate either the Clerk or an employee of the clerk's office as the "Records Management Specialist." The Records Management Specialist shall be responsible for implementing office procedures for records management and retention, including the implementation of this Rule. The Records Management Specialist shall be the local supervisor who will answer questions about purging any documents not on the attached lists. Any question not answerable by the Records Management Specialist shall be referred to the District Court Administrator, who may refer questions to the State Court Administrator.

4. The District Court Clerk need not give notice to any

agency, attorney, party, or other group before purging any files under this Rule. Any government agency, historical society, group, or person may request and obtain any or all purged documents, not otherwise confidential, upon making written request to the local District Court Clerk, and tendering payment therefor. District Court Clerks shall cooperate with reasonable requests of local and state historical societies when implementing purging operations.

5. Case files will be excepted from purging only upon court order signed by a majority of the district Judges of that District. The order may prohibit purging specific court files in whole or part, and must state the reason for the prohibition.

[6.] Purging of case files in proceedings involving parental notification of a minor abortion under Iowa Code Chapter 135L shall be in accordance with Iowa Rule of Juvenile Procedure 5.10(c).

6. Orders appointing condemnation commissioners shall be retained for five years and then destroyed without reproduction.

[8.] "Confidential Information Forms" required to be filed under Section 602.6111 of the Code shall be destroyed without reproduction one year after filing.]

(Note: Same as Rule of Civil Procedure 218, except that paragraphs [6] and [8] have been placed in Ch. 10, Confidential Records.)

## CHAPTER 6

### MENTAL HEALTH AND SUBSTANCE ABUSE

1. Mental Health and Substance Abuse case files shall be maintained as confidential files for 20 years from date of filing the first application for commitment, then purged and reproduced before being destroyed. For these files, purging means discarding duplicates of filed documents, correspondence, briefs and other types of documents normally discarded from civil files in purging.

2. The Clerk of Court shall maintain only one mental health file and only one substance abuse file on each individual respondent.

## CHAPTER 7

### DOMESTIC ABUSE

1. Cases filed under Chapter 236 of the Code are subject to this Chapter.

2. The Clerk may reproduce after purging any domestic abuse file ten years after expiration of all protective orders, or fifteen years after filing of the petition, whichever first occurs. The purging shall be done pursuant to Appendix III. For the purposes of purging, a protective order shall be treated the same as an order signed by a judge.

CHAPTER 8

PROBATE

1. Probate files shall be maintained for 40 years after opening before purging and reproduction. Purging shall be done pursuant to Appendix IV. After reproduction the file shall be destroyed as defined in this Rule.

2. Any Probate files reproduced in full prior to purging or prior to this rule's effective date need not be purged and reproduced again.

(Note: See Rule 218 (b).)

## CHAPTER 9

### ADOPTION

1. Adoption case files shall not be purged, but may be reproduced in full 20 years after the final adoption decree is filed, and then destroyed.

2. Reproduced adoption files shall maintain their confidential status under law.

## CHAPTER 10

### CONFIDENTIAL RECORDS

1. All records made confidential by law shall remain so after reproduction. All confidential records purged from files shall be physically destroyed under the supervision of employees of the Clerk and shall not be disseminated to others.

2. "Confidential Information Forms" required to be filed under Section 602.6111 of the Code shall be destroyed without reproduction one year after filing.

3. Purging of case files in proceedings involving parental notification of a minor abortion under Iowa Code Chapter 135L shall be in accordance with Iowa Rule of Juvenile Procedure 5.10(c).

CHAPTER 11

MISCELLANEOUS RECORDS

1. Orders appointing condemnation commissioners shall be retained for five years and then destroyed without reproduction.

2. Wills filed for retention by the Clerk under Section 633.286 of the Code, or any prior similar code section, and not requested for probate may be destroyed without reproduction 80 years after the date of deposit. The Clerk shall publish notice of pending destruction twice, the last at least 30 days prior to destruction, in a local newspaper. The notice shall include a list of the names of the testators and the date of original deposit of the wills to be destroyed. Destruction shall be without opening the will, and shall be done as with confidential documents.

3. The Clerk shall return all certified administrative Records to the responding Agency, Director or Officer under Chapters 17A, and 85, 60 days after the appeal to the District Court is concluded by decision of the court, or after all appeals to the Supreme Court are concluded with procedendo issued.

**Proposed Statutory Amendments for Records Rule**

**602.8102 General duties.**

The clerk shall:

1. Keep the office of the clerk at the county seat.
2. Attend sessions of the district court.
3. Keep the records, papers, and seal, and record the proceedings of the district court as provided by law under the direction of the chief judge of the judicial district. The clerk shall maintain and manage the records of the district court as provided by rules prescribed by the supreme court.

. . . .

**602.8103 General powers.**

The clerk may:

1. Administer oaths and take affirmations as provided in section 63A.1.
2. Reproduce original records of the court by any reasonably permanent legible means including, but not limited to, reproduction by photographing, photostating, microfilming, computer cards, and electronic digital format. The reproduction shall include proper indexing. The reproduced record has the same authenticity as the original record. The supreme court shall adopt rules to provide for continued evaluation of the accessibility of records stored or reproduced in electronic digital format.
3. ~~After the original record is reproduced and after approval of a majority of the judges of the district court by court order, destroy the original records including, but not limited to, dockets, journals, scrapbooks, files, and marriage license applications. The order shall state the specific records which are to be destroyed. An original court file shall not be destroyed until after the contents~~

~~have been reproduced. As used in this subsection and subsection 4, "destroy" includes the transmission of the original records which are of general historical interest to any recognized historical society or association.~~

~~4. Destroy the following original records without prior court order or reproduction except as otherwise provided in this subsection:~~

~~a. Records including, but not limited to, journals, serapbooks, and files, forty years after final disposition of the case. However, judgments, decrees, stipulations, records in criminal proceedings, probate records, and orders of court shall not be destroyed unless they have been reproduced as provided in subsection 2.~~

~~b. Administrative records, after five years, including, but not limited to, warrants, subpoenas, clerks' certificates, statements, praecipes, and depositions.~~

~~c. Records, dockets, and court files of civil and criminal actions heard in the municipal court which were transferred to the clerk, other than juvenile and adoption proceedings, or heard in justice of the peace proceedings, after a period of twenty years from the date of filing of the actions.~~

~~d. Original court files on dissolutions of marriage, one year after dismissal by the parties or under R.C.P. 215, Ia. Ct. Rules, 3d ed.~~

~~e. Small claims files, one year after dismissal with or without prejudice.~~

~~f. Uniform traffic citations in the magistrate court or traffic and scheduled violations office, one year after final disposition.~~

~~g. Court reporters' notes and certified transcripts of those notes in civil cases, ten years after final disposition of the case. For purposes of this section, "final disposition" means one year after dismissal of the case, after judgment or decree without appeal, or after procedendo or dismissal of appeal is filed in cases where appeal is taken.~~

~~h. Court reporters' notes and certified transcripts of these notes in criminal cases, ten years after dismissal of all charges, or ten years after the expiration of all sentences imposed or the date probation is granted, whichever later occurs. For purposes of this subsection "sentences imposed" include all sentencing options pursuant to section 901.5.~~

~~i. Court files, as provided by rules prescribed by the supreme court, ten years after final disposition in civil cases, or ten years after expiration of all sentences in criminal cases. For purposes of this paragraph, "purging" means the removal and destruction of documents in the court file which have no legal, administrative, or historical value. Purging shall be done without reproduction of the removed documents. For purposes of this paragraph, "civil cases" does not include juvenile, mental health, probate, or adoption proceedings.~~

~~j. Court reporters' notes and certified transcripts of these notes in mental health hearings under section 229.12 and substance abuse hearings under section 125.82, ninety days after the respondent has been discharged from involuntary custody.~~

5. ~~Invest~~<sup>3.</sup> Invest money which is paid to the clerk to be paid to any other person in a savings account of a supervised financial organization as defined in section 537.1301, subsection 42, except a credit union operating pursuant to chapter 533. The provisions of chapter 12C relating to the deposit and investment of public funds apply to the deposit and investment of the money except that a supervised financial organization other than a credit union may be designated as a depository and the money shall be available upon demand. The interest earnings shall be paid into the general fund of the state, except as otherwise provided by law.

In addition, the money may be invested in an open-end management investment company organized in trust form registered with the federal securities and exchange commission under the federal Investment Company Act of 1940, 15 U.S.C. § 80(a), and operated in accordance with 17 C.F.R. § 270.2a-7, the portfolio of which is limited to obligations of the United States of America or agencies or instrumentalities of the United States of America and to repurchase agreements fully collateralized by obligations

of the United States of America or an agency or instrumentality of the United States of America if the investment company takes delivery of the collateral either directly or through an authorized custodian.

~~6. Establish~~4. Establish and maintain a procedure to set off against amounts held by the clerk of the district court and payable to the person any debt which is in the form of a liquidated sum due, owing and payable to the clerk. The procedure shall meet all of the following conditions:

a. Before setoff, the clerk shall provide written notice to the debtor of the clerk's claim to all or a portion of the amount held by the clerk for the debtor and the clerk's right to recover the amount of the claim through the setoff procedure, the opportunity to request in writing, that a jointly or commonly owned right to payment be divided among owners, and the opportunity to give written notice to the clerk of the district court of the person's intent to contest the amount of the claim. The debtor must file a notice of intent to contest the claim within fifteen days after the mailing of the notice of claim by the clerk or, if the notice of claim was provided by the clerk at the time the debtor appeared in the clerk's office to claim payment, within fifteen days of that date.

b. Upon the request of the debtor or the owner of a jointly or commonly owned right to payment, the clerk of the district court shall divide the payment. Unless otherwise stated in a judgment or court order, any jointly or commonly owned right to payment is presumed to be owned in equal portions by joint or common owners.

c. Upon timely filing of a notice of intent to contest the setoff, the matter shall be set for hearing before a judge or magistrate. The clerk shall notify the debtor in writing of the time and date of the hearing.

d. If the claim is not contested or upon final determination of a contested claim authorizing a setoff, the clerk shall set off the debt against any amount the clerk is holding for payment to the debtor and pay any balance of the amount to the debtor. The amount set off shall be applied by the clerk of the district court according to the order of priority set out in section 602.8107, subsection 2.

January 24, 1998; November 9, 2001, effective February 15, 2002]

**Rules 1.436 to 1.440 Reserved.**

**D. TIME, FILING, AND NOTICE REQUIREMENTS**

**Rule 1.441 Time to move or plead.**

**1.441(1) Motions.** Motions attacking a pleading must be served before responding to the pleading or, if no responsive pleading is required by these rules, within 20 days after the service of the pleading on such party.

**1.441(2) Pleading.** Answer to a petition must be served on or before the date prescribed in accordance with rule 1.303. A party served with a pleading stating a cross-claim against the party shall serve an answer thereto within 20 days after the service of the pleading upon the party. The plaintiff shall serve a reply to a counterclaim in the answer within 20 days after service of the answer, or if a reply is ordered by the court, within 20 days after service of the order, unless the order otherwise directs.

**1.441(3) Time after filing motions.** The service of a motion permitted under the rules in this chapter alters these periods of time as follows, unless a different time is fixed by order of the court.

If the motion is so disposed of as to require further pleading, such pleading shall be served within ten days after notice of the court's action.

**1.441(4) Response to amendments.** A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within ten days after service of the amended pleading, whichever is longer, unless the court otherwise orders.

**1.441(5) Shortening time.** The court may order any motion or pleading to be filed within a shorter time than specified above.

**1.441(6) Extending time.** For good cause, but not ex parte, the court may extend the time to answer or reply for not more than 30 days beyond the times above specified. For good cause but not ex parte, and upon such terms as the court prescribes, the court may grant a party the right to file an answer or reply where the time to file same has expired.

**1.441(7) Notice of removal to federal court.** The filing of a notice of removal to the federal court shall suspend the jurisdiction of the state court until an order of the federal court, remanding the cause, or determining that the removal has not been perfected, is filed in the state court. Thereupon, the times fixed for motions or pleadings shall begin anew. [Report October 31, 1997, effective January 24, 1998; November 9, 2001, effective February 15, 2002]

**Rule 1.442 Service and filing of pleadings and other papers.**

**1.442(1) When service required.** Unless the court otherwise orders, everything required by the rules in this chapter to be filed, every order required by its terms to be served, every pleading subsequent to the original petition, every paper relating to discovery, every written motion including one which may be heard ex parte, and every written notice, appearance, demand, offer of judgment, and similar paper shall be served upon each of the

parties. No service need be made on any party against whom a default has been entered except that pleadings asserting new or additional claims for relief against the party shall be served upon the party in the manner provided for service of original notice in rule 1.305. In an action begun by seizure of property, in which no person need be or is named as defendant, any service required to be made prior to the filing of an answer, claim, or appearance shall be made upon the person having custody or possession of the property at the time of its seizure.

**1.442(2) Same: how made.** Service upon a party represented by an attorney shall be made upon the attorney unless service upon the party is ordered by the court. Service shall be made by delivering, mailing, or transmitting by fax (facsimile) a copy to the attorney or to the party at the attorney's or party's last known address or, if no address is known, by leaving it with the clerk of court. Delivery within this rule means: handing it to the attorney or to the party; or leaving it at the attorney's or party's office; or, if the office is closed or the person to be served has no office, leaving it at the attorney's or party's dwelling house or usual place of abode with some person of suitable age and discretion residing therein. Service by mail is complete upon mailing.

Service may also be made upon a party or attorney by electronic mail (e-mail) if the person consents in writing in that case to be served in that manner. The written consent shall specify the e-mail address for such service. The written consent may be withdrawn by written notice served on all other parties or attorneys. Service by electronic means is complete upon transmission, unless the party making service learns that the attempted service did not reach the person to be served.

**1.442(3) Same: numerous defendants.** In any action in which there are unusually large numbers of defendants, the court, upon motion or of its own initiative, may order that service of the pleadings of the defendants and replies thereto need not be made as between the defendants and that any cross-claim, counterclaim, or matter constituting an avoidance or affirmative defense contained therein shall be deemed to be denied or avoided by all other parties and that the filing of any such pleading and service thereof upon the plaintiff constitutes due notice of it to the parties. A copy of every such order shall be served upon the parties in such manner and form as the court directs.

**1.442(4) Filing.** Except as provided in rule 1.502, all papers after the petition required to be served upon a party shall be filed with the court either before service or within a reasonable time thereafter; however, no party shall file legal briefs or memoranda, except in support of or resistance to a motion for summary judgment, unless expressly ordered by the court. Such briefs and memoranda shall be served upon the parties with an original copy delivered to the presiding judge. The party submitting the legal brief or memoranda shall file a statement certifying compliance with this rule. Whenever these rules or the rules of appellate procedure require a filing with the district court or its clerk within a certain time, the time requirement shall be tolled when service is made, provided the actual filing is done within a reasonable time thereafter.

**1.442(5) Filing with the court defined.** The filing of pleadings and other papers with the court as required by these rules shall be made by filing them with the clerk of the court, except that a judge may permit them to be filed with the judge, who shall note thereon the filing date and forthwith transmit them to the office of the clerk.

**1.442(6) Notice of orders or judgments.** Immediately upon the entry of an order or judgment the clerk shall serve a notice of the entry by mail in the manner provided for in this rule upon each party except a party against whom a default has been entered and shall make a note in the docket of the mailing. In the event a case involves an appeal or review relating to an administrative agency, officer, commissioner, board, administrator, or judge, the clerk shall mail without cost to the applicable administrative agency, officer, commissioner, board, administrator, or judge a copy of any remand order, final judgment or decision in the case and a copy of any procedendo from the supreme court.

Such mailing is sufficient notice for all purposes for which notice of the entry of an order is required by the rules in this chapter; but any party may in addition serve a notice of such entry in the manner provided in this rule for the service of papers. Lack of notice of the entry by the clerk does not affect the time to appeal or relieve or authorize the district court to relieve a party for failure to appeal within the time allowed.

**1.442(7) Certificate of service.** All papers required or permitted to be served or filed shall include a certificate of service. Action shall not be taken on any paper until a certificate of service is filed in the clerk's office. The certificate shall identify the document served and include the date, manner of service, names and addresses of the persons served. The certificate shall be signed by the person making service. Unless ordered by the court, no other proof of service shall be filed. [Report October 31, 1997, effective January 24, 1998; November 9, 2001, effective February 15, 2002; November 22, 2002, effective February 1, 2003]

**COMMENT:** Rule 1.442(2) authorizes service by facsimile transmission and deletes archaic and unnecessary language regarding service by delivery to a clerk or person in charge of an office which is not closed. Rule 1.442(7) clarifies that all documents served or filed shall include a certificate of service, that proofs of service shall not be filed regarding documents that are not to be filed, and it sets forth the requirements of a certificate of service and prohibits the filing of other proofs of service unless ordered by the Court.

**Rule 1.443 Enlargement; additional time after service.**

**1.443(1) Enlargement.** When by the rules in this chapter or by a notice given thereunder or by order of court an act is required or allowed to be done at or within a specified time, the court for cause shown may at any time in its discretion do the following:

a. With or without motion or notice order the period enlarged if request therefor is made before the expiration of the period originally prescribed or as extended by a previous order.

b. Upon motion made after the expiration of the specified period permit the act to be done where the failure to act was the result of excusable neglect; but it may

not extend the time for taking any action under rules 1.1001, 1.1003, and 1.1004, except to the extent and under the conditions stated in rule 1.1007.

**1.443(2) Additional time after service by mail, e-mail, or facsimile transmission.** When by the rules in this chapter a party has the right or is required to do some act within a prescribed period after the service of a notice or other paper upon the party and the notice or paper is served upon the party by mail, e-mail, or facsimile transmission, three days shall be added to the prescribed period. Such additional time shall not be applicable where a court has prescribed the method of service of notice and the number of days to be given or where the deadline runs from entry or filing of a judgment, order or decree. [Report October 31, 1997, effective January 24, 1998; November 9, 2001, effective February 15, 2002; November 22, 2002, effective February 1, 2003]

**Rule 1.444 Pleading over; election to stand.** If a party is required or permitted to plead further by an order or ruling, the clerk shall forthwith mail or deliver notice of such order or ruling to the attorneys of record. Unless otherwise provided by order or ruling, such party shall file such further pleading within ten days after such mailing or delivery; and if such party fails to do so within such time, the party thereby elects to stand on the record theretofore made. On such election, the ruling shall be deemed a final adjudication in the trial court without further judgment or order; reserving only such issues, if any, which remain undisposed of by such ruling and election. [Report October 31, 1997, effective January 24, 1998; November 9, 2001, effective February 15, 2002]

**Rules 1.445 to 1.450 Reserved.**

**E. COURT ACTION**

**Rule 1.451 Specific rulings required.** A motion, or other matter involving separate grounds or parts, shall be disposed of by separate ruling on each and not sustained generally. [Report October 31, 1997, effective January 24, 1998; November 9, 2001, effective February 15, 2002]

**Rule 1.452 Order defined.** Every direction of the court, made in writing and not included in the judgment or decree, is an order. [Report October 31, 1997, effective January 24, 1998; November 9, 2001, effective February 15, 2002]

**Rule 1.453 When and how entered.** A judge may enter judgments, orders or decrees at any time after the matter has been submitted, effective when filed with the clerk, or as provided by rule 1.442(5). The clerk shall promptly mail or deliver notice of such entry, or copy thereof, to each party appearing, or to one of the party's attorneys. [Report October 31, 1997, effective January 24, 1998; November 9, 2001, effective February 15, 2002]

**Rule 1.454 Reserved.**

## PROPOSED STATUTORY CHANGE TO ALLOW CLERK TO BE APPOINTED OR REMOVED BY CHIEF JUDGE

### 602.1215 Clerk of the district court.

1. ~~The district judges~~ chief judge of each ~~judicial election~~ district shall ~~by majority vote~~ appoint persons to serve as clerks of the district court, ~~one for each county within the judicial election district. A person does not qualify for appointment to the office of clerk of the district court unless the person is at the time of application a resident of the state. Within three~~ within the judicial district. There shall not be more than one clerk of the district court for each county in the district. However, the chief judge may appoint a person to serve as clerk of the district court for more than one county. If the chief judge ~~months of appointment the clerk of the district court must establish residence and physically reside in the county.~~ appoints a current clerk of the district court as clerk in a county where the position has become vacant, the appointee shall serve in that position at the pleasure of the chief judge; provided that the clerk so appointed shall not be removed from the original office except for cause. A clerk of the district court may be removed from office for cause by ~~the a majority vote of the district judges~~ chief judge of the ~~judicial election~~ district. Before removal, the clerk of the district court shall be notified of the cause for removal. Clerks of the district court in office as of the effective date of this amendment will continue to serve as clerks without reappointment.

2. The clerk of the district court has the duties specified in article 8, and other duties as prescribed by law or by the supreme court.

3. The clerk of the district court shall assist the state court administrator and the district court administrator in carrying out the rules, directives, and procedures of the judicial branch and the judicial district.

4. The clerk of the district court shall comply with rules, directives, and procedures of the judicial branch and the judicial district.

Judicial Branch  
 Counties with no full time Clerk of Court

Vacant Clerk (County)	Acting county	Vacant Pay Grade	Vacant Annual Salary (Top Step)	Least Senior in office 02/04/2003	Annual Savings
Allamakeee	Fayette	29	\$ 50,148.80	\$ 32,676.80	\$ 17,472.00
Grundy	Buchanan	27	\$ 45,656.00	\$ 32,676.80	\$ 12,979.20
Franklin	Wright	27	\$ 45,656.00	\$ 22,068.00	\$ 23,588.00
Hamilton	Webster	29	\$ 50,148.80	\$ 22,068.80	\$ 28,080.00
Mitchell	Cerro Gordo	27	\$ 45,656.00	\$ 28,246.00	\$ 17,410.00
Worth	Hancock	27	\$ 45,656.00	\$ 24,876.80	\$ 20,779.20
Kossuth	Palo Alto	29	\$ 50,148.80	\$ 28,246.40	\$ 21,902.40
Monona	Crawford	27	\$ 45,656.00	\$ 34,652.80	\$ 11,003.20
Plymouth	Woodbury	29	\$ 50,148.80	\$ 26,083.20	\$ 24,065.60
Sioux	Woodbury	29	\$ 50,148.80	\$ 28,246.40	\$ 21,902.40
Clarke	Union	29	\$ 50,148.80	\$ 31,720.00	\$ 18,428.80
Marion	Jasper	31	\$ 55,099.20	\$ 22,068.80	\$ 33,030.40
Jones	Linn	29	\$ 50,148.80	\$ 22,068.80	\$ 28,080.00
Cedar	Acting Scott Cl	29	\$ 50,148.80	\$ 27,144.00	\$ 23,004.80
Jackson	Clinton	29	\$ 50,148.80	\$ 22,068.80	\$ 28,080.00
Scott	Acting Clerk	35	\$ 66,497.60	\$ 22,068.80	\$ 44,428.80
<b>Totals</b>					<b>\$ 374,234.80</b>

Appendix 5