

CHAPTER 21
JURISDICTION AND POWERS OF THE JUVENILE COURT
S.F. 478

AN ACT relating to the jurisdiction of the juvenile court, providing expanded authority to juvenile court referees, and allowing the juvenile court to estop parties before it from litigating concurrently issues of custody, guardianship, or placement of a child within the juvenile court's jurisdiction.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 231.3, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

231.3 DESIGNATION OF JUVENILE COURT JUDGE AND APPOINTMENT OF REFEREE.

1. The chief judge of a judicial district shall designate one or more of the district judges and district associate judges to act as judges of the juvenile court for a county. The chief judge may designate a juvenile court judge to preside in more than one county.

2. The judge of the juvenile court may appoint and may remove a juvenile court referee. The referee shall be an attorney admitted to practice law in this state, and shall be qualified for duties by training and experience. The compensation of the referee shall be set by the appointing judge.

3. The referee shall have the same jurisdiction to conduct juvenile court proceedings and to issue orders, findings, and decisions as the judge of the juvenile court, except that the referee shall not issue warrants. However, the appointing judge may limit the referee's exercise of juvenile court jurisdiction.

4. The parties to a proceeding heard by the referee are entitled to a review by the judge of the juvenile court of the referee's order, finding, or decision, if the review is requested within ten days after the entry of the referee's order, finding, or decision. A request for review does not automatically stay the referee's order, finding, or decision. The review is on the record only, unless the judge, upon request or upon the judge's own motion, orders otherwise. In the interests of justice, the judge may allow a rehearing at any time.

5. In a county with a population of more than two hundred fifty thousand, the judge of the juvenile court may appoint and may remove a director of juvenile court services and shall set the director's compensation.

Sec. 2. NEW SECTION. 232.3 CONCURRENT COURT PROCEEDINGS.

1. During the pendency of an action under this chapter, a party to the action is estopped from litigating concurrently the custody, guardianship, or placement of a child who is the subject of the action, in a court other than the juvenile court. A district judge, district associate judge, magistrate, or judicial hospitalization referee, upon notice of the pendency of an action under this chapter, shall not issue an order, finding, or decision relating to the custody, guardianship, or placement of the child who is the subject of the action, under any law, including but not limited to chapter 598, 598A, or 633.

2. The juvenile court with jurisdiction of the pending action under this chapter, however, may, upon the request of a party to the action or on its own motion, authorize the party to litigate concurrently in another court a specific issue relating to the custody, guardianship, or

placement of the child who is the subject of the action. Before authorizing a party to litigate a specific issue in another court, the juvenile court shall give all parties to the action an opportunity to be heard on the proposed authorization. The juvenile court may request but shall not require another court to exercise jurisdiction and adjudicate a specific issue relating to the custody, guardianship, or placement of the child.

Sec. 3. Sections 232.63 and 232.124, Code 1983, are repealed.

Approved April 22, 1983

CHAPTER 22
COLLECTION OF CORN AND SOYBEANS ASSESSMENT
S.F. 509

AN ACT relating to the collection of the Iowa corn and soybeans assessment at the time corn and soybeans are pledged to secure a loan extended under a federal price support loan program.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 185.1, subsection 6, Code 1983, is amended to read as follows:

6. "First purchaser" means ~~any~~ a person, public or private corporation, governmental subdivision, association, co-operative, partnership, commercial buyer, dealer, or processor who ~~resells purchases soybeans purchased from a producer or offers for sale any product produced from such soybeans for any purpose for the first time for any purpose except to feed it to the purchaser's livestock or to manufacture a product from the soybeans purchased for the purchaser's personal consumption.~~

Sec. 2. Section 185.1, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 13. "Sale" or "purchase" includes but is not limited to the pledge or other encumbrance of soybeans as security for a loan extended under a federal price support loan program. Actual delivery of the soybeans occurs when the soybeans are pledged or otherwise encumbered to secure the loan. The purchase price of the soybeans is the principal amount of the loan extended and the purchase invoice for the soybeans is the documentation required for extension of the loan.

Sec. 3. Section 185C.1, subsection 6, Code 1983, is amended to read as follows:

6. "First purchaser" means ~~any~~ a person, public or private corporation, governmental subdivision, association, co-operative, partnership, commercial buyer, dealer, or processor who ~~resells purchases corn purchased from a producer or offers for sale any product produced from such corn for any purpose for the first time for any purpose except to feed it to the purchaser's livestock or to manufacture a product from the corn purchased for the purchaser's personal consumption.~~

Sec. 4. Section 185C.1, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 13. "Sale" or "purchase" includes but is not limited to the pledge or other encumbrance of corn as security for a loan extended under a federal price support loan