

## CHAPTER 24

### STATE LIABILITY FOR TORTS BY JUVENILES PERFORMING WORK ASSIGNMENTS

*H.F. 630*

**AN ACT** relating to state liability for torts committed by juveniles while performing community service assignments pursuant to an order of the juvenile court.

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

Section 1. Section 232.13, unnumbered paragraph 1, Code 1987, is amended to read as follows:

The state of Iowa is liable, according to and under chapter 25A, for a tortious act committed by a child given a work assignment of value to the state or the public or a community work assignment under this chapter.

Approved April 22, 1987

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## CHAPTER 25

### JUDICIAL MAGISTRATE PROCEEDINGS

*H.F. 612*

**AN ACT** relating to appeal of a magistrate's decision.

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

Section 1. Rule of criminal procedure 48, subsection 9, Iowa court rules, second edition, is amended to read as follows:

9. **RECORD.** The proceedings upon trial shall not be reported, unless a party provides a reporter at such party's expense. ~~By agreement of the parties the~~ The magistrate may cause the proceedings upon trial to be reported electronically. If the proceedings are being electronically recorded both parties shall be notified in advance of that recording. If the defendant is indigent and requests that the proceedings upon trial be reported, the judicial magistrate shall cause them to be reported by a reporter, or electronically, at public expense. If the proceedings are not reported electronically, the judicial magistrate shall make minutes of the testimony of each witness and append the exhibits or copies thereof. If the proceedings have been reported electronically the recording shall be retained under the jurisdiction of the magistrate and upon request shall be transcribed only by a person designated by the court under the supervision of the magistrate. The transcription shall be provided anyone requesting it upon payment of actual cost of transcription or to an indigent defendant as herein above provided.

Sec. 2. Rule of criminal procedure 54, subsection 3, Iowa court rules, second edition, is amended to read as follows:

3. **PROCEDURE IF APPEAL FROM LAWYER MAGISTRATE.** If the original action was tried by a district judge, district associate judge, or judicial magistrate ~~who is admitted to practice law in Iowa,~~ the appellant shall file and serve, within fourteen days after taking the appeal, a brief in support of the appeal. The brief shall include statements of the specific issues presented for review and the precise relief requested. The appellee may file and serve, within ten days after service of the appellant's brief, a responding brief. Either party may request, at the end of the party's brief, permission to be heard in oral argument. Within thirty days after the filing, or expiration of time for filing, of the appellee's brief, the appeal shall be submitted to the court on the record and any briefs without oral argument, unless otherwise ordered by the court or its designee. If the court, on its own motion or motion of a party, finds the record to be inadequate, it may order the presentation of further evidence. If the original action was tried by a district judge, the appeal shall be decided by a different district judge. If the