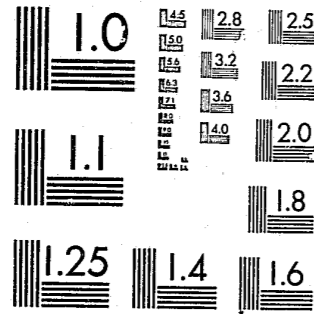


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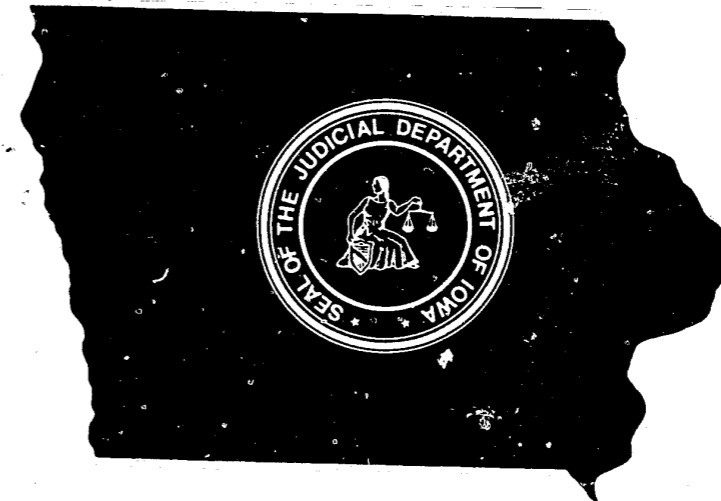
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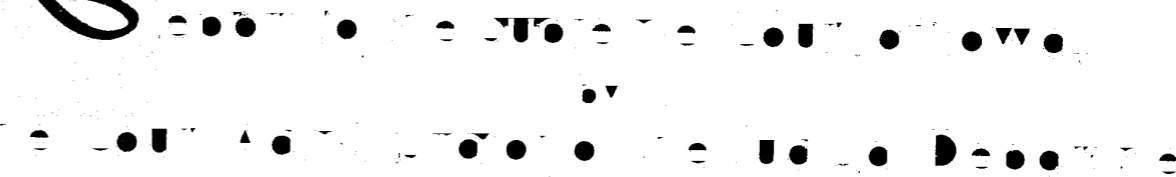
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Court Administrator

STATE CAPITOL
DES MOINES, IOWA 50319

WILLIAM J. O'BRIEN
COURT ADMINISTRATOR

May 12, 1982

TO THE HONORABLE CHIEF JUSTICE AND JUSTICES
OF THE SUPREME COURT OF IOWA:

Pursuant to the provisions of section 685.8, The Code, I submit herewith the 1981 report relating to the activity of the judicial department.

I wish to express my appreciation to the various judicial officers and clerks of the Iowa district court for their cooperation in reporting judicial statistics to this office.

Respectfully,

A handwritten signature in dark ink, appearing to read "W. J. O'Brien".

William J. O'Brien
Court Administrator

WJO/ch

NCJRS

JUL 23 1982

ACQUISITIONS

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STATISTICAL HIGHLIGHTS AND TRENDS

Appellate Courts

1. In 1981, there were 1,733 filings (1,175 civil, 558 criminal) and 1,716 dispositions (1,064 civil, 652 criminal); filings and dispositions increased 7.0 and 13.6 percent, respectively, from 1980.
2. Since 1971, the number of filings in the appellate courts soared 162.6 percent (660 to 1,733) or an average of 16.3 percent per year; the number of filings per appellate judge jumped 69.9 percent (73 to 124). [Table 11]
3. There were 884 formal dispositions (550 civil, 334 criminal) in the appellate courts in 1981 - an increase of 217 dispositions or 32.5 percent over 1980. By formal opinion, the Supreme Court disposed of 383 cases (212 civil, 171 criminal); the Court of Appeals handled 501 cases (338 civil, 163 criminal). The number of criminal cases disposed of by formal opinion in the appellate courts rose 87.6 percent (178 to 334) over 1980 figures. There were 832 appellate cases (514 civil, 318 criminal) terminated by order or other mode prior to submission to the court. [Tables 3 and 9]
4. In 1981, cases involving domestic relations (dissolutions and child custody) comprised 37.2 percent (203 of 546) of the formal appellate decisions in civil cases - the largest single category of dispositions. The number of rulings in domestic relations cases increased 42.0 percent (143 to 203) from 1980 to 1981. [Tables 3 and 9]
5. The average appellate case terminated by formal opinion was decided about five to five and one-half months after it was ready for submission; the average elapse time from the filing of a notice of appeal to the time a case was ready for submission was slightly over nine months. However, elapse time has increased in recent months; regular civil cases submitted to the Supreme Court in January, 1982, were made ready on or before May, 1981 - a delay of eight months. [Table 5]
6. During 1981, the number of pending cases in the appellate courts rose 6.8 percent (1,168 to 1,247). The number of cases ready for disposition increased 26.7 percent (311 to 394). [Tables 4 and 8]

7. Of the 877 formal appellate decisions reviewing lower court rulings (four attorney disciplinary and three certification of law cases excluded) 591 or 67.4 percent affirmed the district court, 166 or 18.9 percent reversed, and 120 or 13.7 percent of the Court opinions were a combination of the two. There were 153 applications to the Supreme Court for further review of a Court of Appeals decision; the Court granted further review in 16 cases while denying application for further review in 119 other instances. The Supreme Court vacated the judgment of the Court of Appeals in 12 of the 13 cases reviewed in 1981.

Trial Court

1. In the 25-year period since 1956, the first year trial court statistics were collected and analyzed at the state level, the number of civil filings escalated 154.0 percent (22,922 to 58,225) while the number of criminal filings skyrocketed 497.8 percent (6,178 to 36,932); the number of civil/criminal filings per district judge mushroomed 140.9 percent (416 to 1,002). [Appendix F] Iowa's population grew 7.0 percent (2,722,375 to 2,913,808) during this period.
2. Since 1956, the number of civil/criminal dispositions per district court judge jumped 93.1 percent (394 to 761). [Appendix H]
3. Since 1956, the number of juvenile petitions soared 246.6 percent (1,607 to 5,570); however, since the 1978 revision of the juvenile justice code, the number of petitions filed in juvenile matters has plummeted 9.9 percent (6,179 to 5,570). The number of probate cases opened rose 49.9 percent (16,137 to 24,192) since 1956. [Appendix F]
4. Since the 1977 legislative freeze on district judgeships, civil filings increased 34.4 percent (43,324 to 58,225); criminal filings climbed 24.8 percent (28,795 to 36,932). Overall, civil/criminal filings rose 31.9 percent (72,119 to 95,157) in the four-year period. Application of the district judgeship formula entitles Iowa to 123 judgeships - an increase of 28 over the 95 district court judges authorized December 31, 1981. The 1977 freeze was modified in 1981 to permit the appointment of three additional district judges increasing the total to 95. [Appendix F]
5. Since the first calendar year after unification of the district court (1974), the number of simple misdemeanors/scheduled violations filings increased 51.4 percent (484,651 to 733,939) while the number of small claims petitions grew 10.6 percent (68,021 to 75,259). However, the 1981 figures show a 6.6 percent drop in the number of simple misdemeanor and scheduled violations and an 8.5 percent decline in the number of small claims filed in the district court from the previous year. [Appendix G]
6. In 1981, only 1,351 of the 273,455 simple misdemeanors (0.5 percent) and 941 of the 26,112 small claims (3.6 percent) terminated by judicial officers were appealed to the district court. [Tables 4 and 5]

7. In 1981, dissolutions and modifications (18,814), uniform support (9,283), and domestic abuse (108) filings accounted for 28,205 cases or 48.4 percent of all civil filings (58,225). Indictable misdemeanor cases involving OMVUI's comprised 14,346 of the 36,932 criminal filings or 38.8 percent of the total. If simple misdemeanor and small claim appeals were removed from these figures the percentage of domestic relations and OMVUI cases would total 49.2 and 40.3 percent, respectively. There were 8,164 felony filings in 1981 - down 658 cases or 7.5 percent from the 8,822 felony filings in 1980. [Tables 4 and 5].

I. APPELLATE COURTS

THE SUPREME COURT OF IOWA

The Supreme Court of Iowa is comprised of nine justices. The chief justice is selected by a vote of the Court and serves for the duration of his or her eight-year term of office. Ninety-four persons have served on the Supreme Court since Iowa became a territory on July 12, 1838. Although the high Court was comprised of only three justices during the first 25 years, the general assembly increased the Court's membership to four in 1864, to five in 1876, to six in 1894, to seven in 1913, to eight in 1927, and nine in 1929, as a result of rising caseload. Listed in order of judicial seniority on the Supreme Court, the present justices are: Clay LeGrand (Davenport), Harvey Uhlenhopp (Hampton), W. W. Reynoldson, Chief Justice (Osceola), K. David Harris (Jefferson), Mark McCormick (Des Moines), Robert G. Allbee (Des Moines), Arthur A. McGiverin (Ottumwa), Jerry Larson (Harlan), and Louis W. Schultz (Iowa City).

The method of selecting justices to the Supreme Court of Iowa has changed several times since 1838. While the three territorial justices were appointed by the President of the United States, when Iowa became a state on December 28, 1846, the constitution provided for the selection of Supreme Court justices by a joint vote of both houses of the general assembly. Iowa's second constitution, adopted in 1857, reflected the mood of Jacksonian democracy and called for the popular election of judges. Finally, in 1962 Iowa voters ratified a constitutional amendment which removed judges from partisan elections and established a 15-member State Judicial Nominating Commission comprised of seven lay persons appointed by the governor and confirmed by the senate and seven attorneys elected by members of the Iowa bar. The Supreme Court justice with the longest service, other than the chief justice, chairs the Commission. Whenever a vacancy occurs on the Supreme Court of Iowa, the Commission nominates three individuals from whom the governor selects one. One year following initial appointment, and every eight years thereafter, Supreme Court justices stand for retention at the general election. Justices appointed after July 1, 1965, must retire by age 72; justices appointed earlier may serve until their 75th birthday.

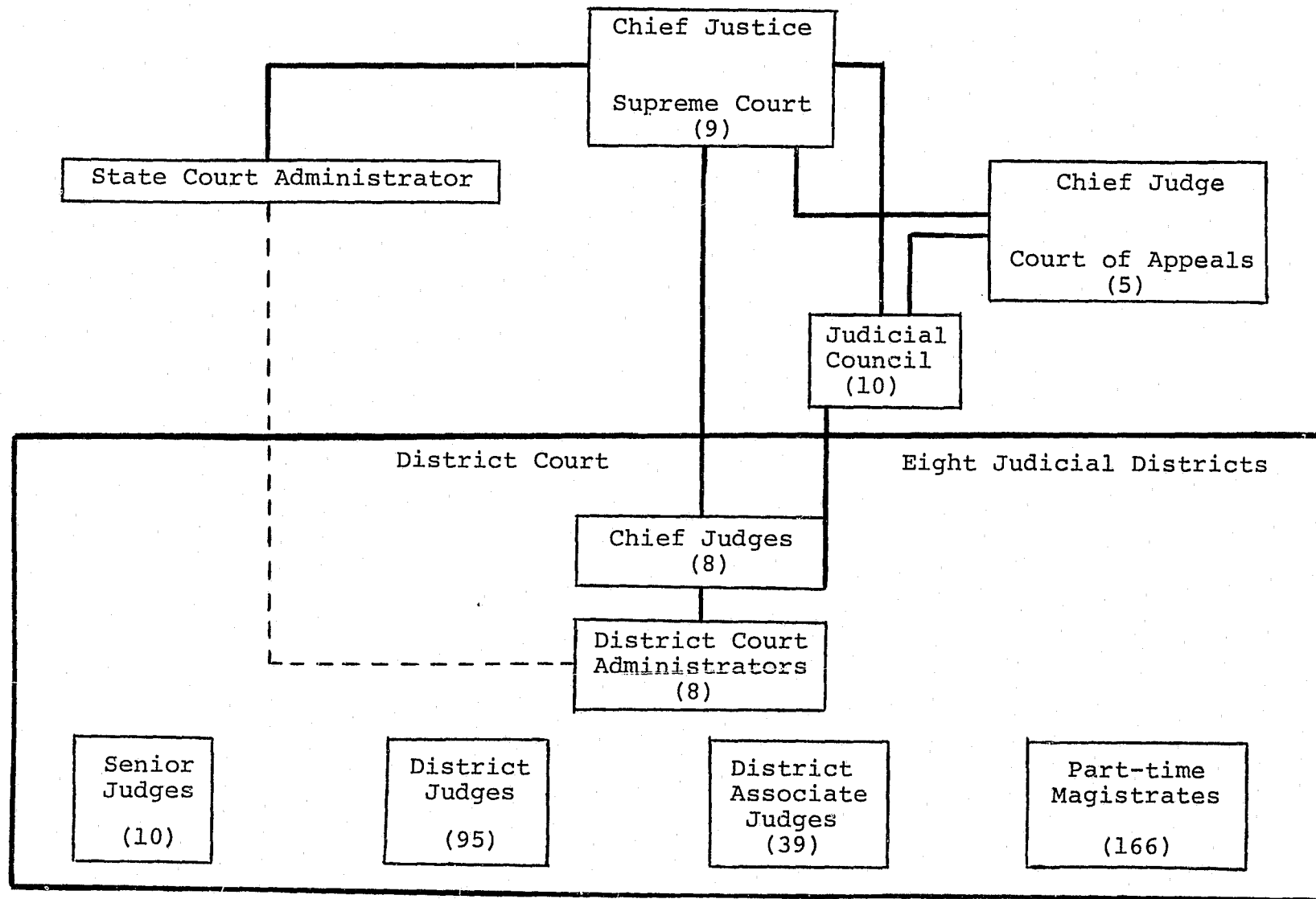
Procedures were established in 1975 for the discipline and removal of judges standing for retention election. Except for magistrates, the Commission on Judicial Qualifications may apply to the Supreme Court to retire, discipline or remove any judge or justice. The Commission is comprised

of a district court judge and two practicing attorneys appointed by the chief justice of the Supreme Court and four non-attorney electors appointed by the governor and confirmed by the senate.

The Supreme Court stands at the apex of the Iowa judicial system. The Court has general appellate jurisdiction in both civil and criminal cases. The Court also has original jurisdiction in such cases as reapportionment, bar discipline, and the issuance of temporary injunctions. The Supreme Court has jurisdiction over all appeals from final judgments and from interlocutory orders. It also has the authority to grant writs of certiorari in cases where a district court is alleged to have exceeded its jurisdiction or otherwise acted illegally. A majority of cases handled by the Supreme Court are appeals from adverse final judgments in the district court, the Iowa trial court. Except where the action involves an interest in real estate, no appeal shall be taken in any case where the amount in controversy, as shown by the pleadings, is less than \$3,000 unless the trial judge certifies that the cause is one in which appeal should be allowed. In small claims actions, where the amount in controversy is \$1,000 or less, the Supreme Court may exercise discretionary review. In criminal cases where the state is the appellant or applicant, the Supreme Court may exercise discretionary review in the following cases: 1) an order dismissing an arrest or search warrant, 2) an order suppressing or admitting evidence, 3) an order granting or denying a change of venue, and 4) a final judgment or order raising a question of law important to the judiciary and the profession. In cases where the defendant is the appellant or applicant, the Supreme Court may exercise discretionary review in the following cases: 1) an order suppressing or admitting evidence, 2) an order granting or denying a change of venue, 3) an order denying probation, 4) simple misdemeanor or ordinance violation convictions, and 5) an order raising a question of law important to the judiciary and the profession. All other final judgments may be appealed to the Supreme Court as a matter of right. [See diagram of the Iowa judicial system on the next page.]

The 1976 Session of the 66th General Assembly established a five-member Court of Appeals. All cases continue to be appealed directly to the Supreme Court which transfers cases to the intermediate court. Supreme Court justices in rotating three-member panels determine which cases to retain and which matters to route to the Court of Appeals. Pursuant to Rule 401, Rules of Appellate Procedure, the Supreme Court ordinarily shall hear (not transfer) cases involving: 1) substantial constitutional questions as to the validity of a statute, ordinance or court or administrative rule; 2) substantial issues in which there is or is claimed to be a conflict with a published decision of the Court of Appeals

CHART 1
 IOWA JUDICIAL DEPARTMENT
 (January 1, 1982)



or Supreme Court; 3) substantial issues of first impression; 4) fundamental and urgent issues of broad public importance requiring prompt or ultimate determination; 5) cases in which life imprisonment has been imposed; 6) lawyer discipline; and 7) substantial questions of enunciating or changing legal principles. The Rule also suggests summary disposition of certain cases by the Supreme Court and transfer to the Court of Appeals of cases involving the application of existing legal principles.

In addition to deciding cases, the Supreme Court is authorized to supervise the administration of justice and promulgate rules of procedure for the district court, determine the rules for admission and discipline of the bar, regulate a client security fund and program of mandatory continuing education for lawyers and judges, and adopt rules regulating appellate practice and procedure. In exercising its administrative and supervisory control over the trial court, the Supreme Court of Iowa appoints a chief judge in each of the eight judicial districts. The chief judges are responsible for overseeing all judges and magistrates within their jurisdictions. Together with the chief justice of the Supreme Court and the chief judge of the Court of Appeals, the chief judges of the district court comprise a Judicial Council. The Council is authorized to consider all court administrative rules, directives, and regulations necessary to provide for an efficient, orderly, and effective administration of justice in Iowa.

Assisting the Supreme Court in its administrative, supervisory, and decision-making roles are the court administrator, clerk of court, legal assistants, and various boards and commissions. Since 1967, each justice has been authorized to appoint a legal assistant to assist in research. In 1971, the legislature authorized the Supreme Court to appoint a court administrator. Serving at the pleasure of the Supreme Court, the court administrator and his staff have many statutory and administrative responsibilities including: screening cases for oral argument and case routing, writing case statements, gathering statistical data on the judicial business at all levels, examining the state of the dockets in the district court and recommending the assignment of judges to courts in need of assistance, apportioning part-time judicial magistrates among the counties, computing the district court judgeship formula, conducting judicial education programs, recommending improvements in the organization and operation of the judicial system, administering the judicial retirement system, handling payroll and travel expenses for the judicial department, planning and budgeting for the Supreme Court and its administrative office, providing administrative assistance to various court-appointed committees, and attending to such matters as the Supreme Court may direct. The court administrator serves as the executive secretary for the Judicial

Qualifications Commission and ex officio member of the Judicial Coordinating Committee; he or she is also a member of the Iowa Crime Commission, State Library Commission, and the State Records Commission.

The clerk of court is appointed by the Supreme Court to a four-year term. The clerk of Supreme Court also serves as the clerk of the Court of Appeals. The clerk docket and monitors all cases appealed to the Court, collects court fees, files legal briefs, appendices and records and files and records every opinion and order of the appellate courts. The clerk is responsible for the sale of court opinions, the administration of the biannual Iowa bar examination; and the election of attorney-members to the state and judicial election district nominating commissions. The clerk of the Supreme Court also collects and accounts for all fees associated with the state bar examination and the shorthand reporter examination and certification.

In its role as supervisor of the Iowa bar, the Supreme Court appoints the members of the Board of Law Examiners, and confirms as commissioners of the Court the members of the Grievance Commission and the Committee on Professional Ethics and Conduct. With the assistance of the Iowa State Bar Association, in 1973, the Court established the Client Security and Attorney Disciplinary System designed to prevent defalcations by members of the Iowa bar and provide for the payment of losses caused to the public by dishonest conduct of Iowa attorneys. The Court appointed a seven-member commission to administer the fund resulting from annual assessment imposed on attorneys. The Supreme Court also has provided that all Iowa lawyers and judges must complete a minimum of fifteen hours of continuing legal education each year. In 1975, a twelve-member Commission on Continuing Legal Education was appointed to exercise general supervisory authority over the administration of the rule.

The Supreme Court is responsible for promulgating rules of appellate, civil, criminal, juvenile, and probate procedure. The Court also is authorized to prescribe rules of pleading, practice, and procedure, and the forms of process, writs, and notices for all proceedings concerning hospitalization of mentally ill persons. In exercising its rulemaking authority, the Supreme Court is assisted by several committees including: 1) the Supreme Court Committee on Rules of Civil Procedure, 2) the Advisory Committee on Rules of Criminal Procedure, 3) the Supreme Court Advisory Committee on Rules of Juvenile Procedure, and 4) the Probate Rules Committee. In developing rules for the hospitalization of the mentally ill, the Supreme Court has been assisted by the Iowa State Bar Association's Committee on Law and Behavioral Sciences.

Workload

During 1981, the Supreme Court of Iowa disposed of 383 cases by written opinion - 208 civil, 171 criminal, and 4 disciplinary. [See Table 1.] There were 108 more decisions written by the justices of the Supreme Court in 1981 than in 1980. The 39 percent increase in the number of Supreme Court dispositions by written opinion is primarily attributable to the 320 percent rise (25 to 105) in the number of Supreme Court dispositions by unsigned per curiam opinion. There also was an 11.2 percent increase in the number of signed majority opinions.

| | Signed Majority Opinions | Unsigned Per Curiam Opinions | Total |
|------|--------------------------|------------------------------|-------|
| 1981 | 278 | 105 | 383 |
| 1980 | 250 | 25 | 275 |
| 1979 | 265 | 25 | 290 |
| 1978 | 312 | 45 | 357 |
| 1977 | 285 | 89 | 374 |

As illustrated in Table 2, 93.5 percent of the cases (358 of 383) decided by formal opinion were appealed to the Supreme Court as a matter of right. There were 304 appeals from final judgments in the district court, 19 appeals from interlocutory rulings, 21 postconviction appeals, 4 attorney disciplinary actions, and three cases involving certified questions of law from the U.S. District Court. The Supreme Court of Iowa exercised discretionary review in only 25 cases - 15 cases appealed from the Court of Appeals, 9 original certiorari cases, and one small claim case.

Table 3 shows the most numerous types of civil cases disposed of by written opinion concerned domestic relations (46), torts (33), contracts and trusts - estates - wills (29), and administrative law (23). Of the 171 criminal cases, 37 involved guilty pleas and/or sentencing issues, exclusively.

In addition to writing 383 majority opinions during 1981, the nine Supreme Court justices registered 29 dissents and 7 special concurrences. Their opinions totaled 2,851 pages or 317 pages per judge on the double-spaced, legal sized "red line" used for official decisions. The average Supreme Court opinion was approximately 7 1/2 pages in length; in 1980 opinions averaged over nine pages. Over 93 percent of the rulings (357 of 383) were approved by a unanimous vote of the justices deciding the case.

Cases filed before the Supreme Court rose from 1,620 (1980) to 1,733 (1981) - an increase of 7.0 percent. As noted in Table 11, the number of filings in the Supreme Court has mushroomed 162.6 percent (660 to 1,733) during the last decade. Civil filings have soared 212.5 percent (376 to 1,175) while criminal cases have nearly doubled (284 to 558) since 1971.

Table 4 indicates the number of civil and criminal cases "In Work," "Ready," "Assigned," and "Out-to-Judges" which were pending as of January 1, 1980, and 1981 and 1982. While the number of cases "In Work" remained steady (857 to 853), the number of civil and criminal cases "Ready" for disposition increased 134.0 percent (100 to 234) during 1981. The total number of pending cases rose 13.2 percent (1,029 to 1,165).

As noted in Table 5, the average elapse time from "Ready" for submission to Supreme Court decision was 5.2 months in 1981 - a slight increase over the five-month processing time in 1980. The elapse time for regular civil cases was slightly higher. While delay in the Court increased somewhat in 1981, disposition time did not compare with the situation that existed in 1976, before the Court of Appeals was established, when the average non-priority civil case took over 20 months to be decided after it was ready.

An examination of the direction of the Supreme Court decisions during 1981, indicates that 67 percent of the lower court rulings were affirmed by the Court, 23 percent were reversed, and 10 percent were mixed. (A "mixed" Supreme Court decision is defined as a ruling which both "affirms" and "modifies" or "reverses" parts of a lower court ruling.) The four attorney disciplinary decisions and the three questions of law certified to the Supreme Court by the federal district court were not included in the disposition direction computation. As noted in the statistics below, the proportion of lower court rulings affirmed by the Supreme Court has increased to the level that existed before the Court of Appeals was established. In 1981, the Supreme Court significantly increased the number of formal dispositions and decided a large volume of less complex cases via per curiam opinion.

| | 1975 | 1976 | 1977 | 1978 | 1979 | 1980 | 1981 |
|----------|------|------|------|------|------|------|------|
| Affirmed | 65 | 68 | 64 | 63 | 57 | 53 | 67 |
| Reversed | 26 | 23 | 30 | 27 | 33 | 33 | 23 |
| Mixed | 6 | 9 | 6 | 10 | 10 | 14 | 10 |

Nearly 58 percent of the cases (221/383) disposed of by written opinion were appealed from the trial courts of seven metropolitan counties. Over 22 percent of the cases arose in Polk County.

| <u>Counties</u> | <u>Number of Cases</u> | <u>Percentage of Total Cases Disposed</u> |
|-----------------|------------------------|---|
| Polk | 85 | 22.2 |
| Black Hawk | 39 | 10.2 |
| Scott | 24 | 6.3 |
| Linn | 22 | 5.7 |
| Woodbury | 17 | 4.4 |
| Johnson | 12 | 3.1 |
| Pottawattamie | 11 | 2.9 |
| Story | 11 | 2.9 |
| TOTAL | 221 | 57.7 |

In addition to the 383 Supreme Court cases disposed of by formal opinion after submission to the Court, 1,276 cases (809 civil and 467 criminal) were disposed of by Court order, consolidation, dismissal by the clerk for failure to cure a default, or by voluntary action by the parties involved. Table 6 shows 83 cases were dismissed by order of the Supreme Court; 198 orders were issued denying petitions for various types of review; 75 cases were dismissed by the clerk for failure to cure a default after notice, 356 cases were voluntarily withdrawn by the parties, 13 cases were consolidated, and 454 cases were transferred by order of the Supreme Court to the Court of Appeals. The number of appeals terminated by the clerk for failure to cure a default was cut in half (149 to 75) from 1980 figures. In total, 1,659 filings were disposed of by the Supreme Court in 1981. Excluding cases transferred to the Court of Appeals, the Supreme Court disposed of 1,205 appeals in 1981.

A significant amount of judge-time also was spent ruling on preliminary motions and applications, conducting hearings, and writing 5,006 orders which did not result in the disposal of a case. Excluding orders transferring cases to the Court of Appeals, the number of dispositive and non-dispositive orders issued by the Supreme Court during the last six years is illustrated below.

| | <u>Dispositive Orders</u> | <u>Nondispositive Orders</u> |
|------|---------------------------|------------------------------|
| 1981 | 822 | 5,006 |
| 1980 | 838 | 4,220 |
| 1979 | 743 | 3,024 |
| 1978 | 718 | 3,445 |
| 1977 | 718 | 2,432 |
| 1976 | 616 | 2,281 |

In recent years, several major structural and procedural changes have contributed to the Supreme Court's ability to handle an increasing number of appeals. One important innovation has been the reinstatement of a practice prevalent from 1929-1943; namely, hearing and deciding cases in divisions of five members. Instead of spending four days a month in Court hearing oral arguments, each justice now spends two days hearing oral arguments. (During the monthly Court week, Wednesdays are generally reserved for conference and administrative matters.) Except in the most complex and controversial cases in which two or more justices request disposition en banc, cases before the Supreme Court are decided by division. The drafts of all proposed opinions are circulated to the entire Court. At any time prior to final approval of a proposed opinion, any two justices may request that a specific case be decided en banc. The research staff initially screens all cases and recommends to a three-justice screening panel whether a case should be submitted en banc or to a division; staff attorneys also recommend the amount of oral argument time, if any, which should be allotted to each case, and whether the case should be retained by the Supreme Court or transferred to the Court of Appeals.

During the last quarter of 1981, the Supreme Court began a more summary treatment of appropriate cases. By utilizing a panel of five justices, eliminating oral argument, and writing brief per curiam opinions, the Supreme Court in the three-month period terminated 135 cases or 35.2 percent of the formal dispositions in 1981. While the number of formal dispositions and per curiam opinions have increased significantly, the average length of Supreme Court opinions and the proportion of trial court rulings reversed on appeal have decreased.

As noted in Table 8, 351 of the 383 Supreme Court decisions were decided by a five-member panel. All disciplinary cases were considered en banc; 9.6 percent of the civil and 4.6 percent of the criminal cases were formally voted on by the full membership. Overall, 8.3 percent of the cases disposed of in 1981 were decided by all nine justices sitting en banc. During the five previous years, the percentage of cases decided en banc was 17.1, 21.4, 23.5, 9.9, and 5.3 percent, respectively.

In addition to using judicial panels to hear and decide cases, the Court also has conserved time by reducing the number of cases permitted oral argument and limiting the amount of time each party can use in presenting its case. While before 1973 the Court allowed 75 minutes to argue a case, today most oral arguments are limited to approximately 35 minutes. In 1981, 136 of the 390 cases (34.9 percent) were submitted without oral argument before the Supreme Court. Indicative of the increased number of fast track submissions handled by the Court in 1981, the number and

percentage of appeals submitted without oral argument jumped to the highest level since 1976.

Submissions to the Supreme Court

| | <u>Oral</u> | <u>Non-oral</u> | <u>Total</u> | <u>Percent Non-Oral</u> |
|------|-------------|-----------------|--------------|-------------------------|
| 1981 | 254 | 136 | 390 | 34.9 |
| 1980 | 236 | 46 | 282 | 16.3 |
| 1979 | 209 | 60 | 269 | 22.3 |
| 1978 | 258 | 96 | 354 | 27.1 |
| 1977 | 264 | 105 | 369 | 28.5 |
| 1976 | 242 | 149 | 391 | 38.1 |

Other factors playing crucial roles in alleviating some of the Court's research and administrative burdens include: the research of legal assistants, case statements, court orders, and screening recommendations drafted by the research staff, and the administrative tasks performed by the court administrator and staff and the clerk's office.

THE IOWA COURT OF APPEALS

In 1976, the 66th General Assembly established a new five-member appellate court designated as the "Iowa Court of Appeals." The new Court began hearing oral arguments and deciding cases in January, 1977. The current members on the Iowa Court of Appeals are: Leo Oxberger, Chief Judge, (St. Charles), Allen L. Donielson (West Des Moines), Bruce M. Snell, Jr. (Ida Grove), James H. Carter (Cedar Rapids), and Janet A. Johnson (Des Moines).

The Court of Appeals is authorized to review all civil and criminal actions, postconviction remedy proceedings, small claims actions, writs, orders, and other processes transferred to it by the Supreme Court. The Iowa Court of Appeals hears only the cases transferred to it by the Supreme Court. All cases continue to be appealed directly to the Supreme Court.

Workload

As indicated in Table 8, during 1981, the five-member Court of Appeals disposed of 511 cases - 348 civil and 163 criminal - the largest number of dispositions in its 5-year history. There were 368 per curiam opinions, 133 signed opinions, and ten cases dismissed by order. Since the Court of Appeals was established in late 1976 and began deciding cases in 1977, it has disposed of 2,004 cases (1,437 civil and 567 criminal). There were 70 civil and 22 criminal cases pending before the Court of Appeals at the end of 1981.

The number and type of cases disposed of by formal written opinion is illustrated in Table 9. As noted in this Table; the Court of Appeals disposed of 157 domestic relations cases - 63 involving child custody - 39 contract cases, 36 administrative law cases, and 33 tort cases. Twenty-seven of the 163 criminal cases involved guilty pleas and/or sentencing only.

Of the 501 cases disposed of by opinion, 337 or 67.2 percent were affirmed, 81 or 16.2 percent were reversed, and 83 or 16.6 percent were a combination of the two, modified or remanded only. Nearly three-fourths of the cases (368/501) were decided by per curiam opinion.

During 1981, the Supreme Court considered 135 applications for further review and granted review in 16 cases. Of the 13 Court of Appeals rulings reviewed by the Supreme Court in 1981, 12 were vacated, and one was affirmed.

The average delay from the time a case was "ready" for submission to "decision" by the Court of Appeals was 5.3 months; two weeks longer than the elapse time recorded in 1980 but seven months less than appellate delay in 1977 - the Court's first year of operation. [Table 10]. In 1981, the average elapse time for non-priority civil cases was 5.8 months - an increase of one month since 1980 but 10.3 months less than the appellate delay in 1977.

Of the 507 cases submitted to the Court of Appeals in 1981, 275 (54.2 percent) were heard on the record without oral argument. In 1978, 1979, and 1980 the proportion of cases decided without oral argument was 52.2, 43.2, and 37.1 percent, respectively.

Including dissenting (70) and concurring (15) opinions, the 501 formal opinions totaled 2,060 pages, an average of 4.1 pages per case or 412 pages per judge, counting the title page. Opinions ranged in length from 2 to 15 legal-sized pages double-spaced.

Of the 383 dispositions by formal opinion, 293 or 76.5 percent were appealed from nine populous counties: Polk (104), Black Hawk (53), Linn (37), Scott (32), Pottawattamie (22), Johnson and Woodbury (12), Cerro Gordo (11) and Story (10). During 1981, the Court of Appeals decided cases from 78 counties.

Iowa Appellate Courts - Statistical Summary

There were 1,733 cases - 1,175 civil and 558 criminal - docketed in the Supreme Court in 1981, up from 1,620 in 1980.

The skyrocketing rise of appellate case filings from 1971 to 1981 is graphically illustrated in Table 11. Since 1971 civil filings have soared 212.5 percent (376 to 1,125) while the number of criminal cases docketed has mushroomed 96.5 percent (284 to 558). Even with the creation of the Court of Appeals and five additional appellate court judges, the average number of filings per judge during the past decade jumped 69.9 percent (73 to 124).

During 1981, the Supreme Court and the Court of Appeals disposed of 1,716 cases - 1,064 civil and 652 criminal - up from 1,510 in 1980. Nearly half of the civil (514/1,064) and criminal (318/652) dispositions were by order rather than formal opinion; 72.1 percent of these matters were dismissed by the clerk or the court, denied or consolidated; 27.9 percent were voluntarily dismissed or withdrawn. There were 1,247 cases pending (793 civil and 454 criminal) at the end of the year - an increase of 79 or 6.8 percent from the first of the year. The number of pending cases ready for disposition rose 26.4 percent (311 to 394) during 1981.

There were 884 dispositions by formal opinion - 550 civil and 334 criminal. During 1981, the average case was disposed of approximately 14 1/2 months after it was docketed in the Supreme Court Clerk's Office; in 1980 the elapse time was slightly over 13 months. In the average case it took the parties nine months to file the briefs, records, etc., and make the case ready for submission to the Court; the elapse time from readiness to decision was about five and one-half months. The largest category of civil cases handled at the appellate level by formal opinion was domestic relations - 203 of 550 civil cases or 36.9 percent. The number and types of other civil cases decided by formal opinion in the appellate courts were as follows: contracts and torts, 68 each; administrative law, 59; property, 40; postconviction relief, 37; trusts, estates, and wills, 20. The number of appellate rulings involving domestic relations increased 42.0 percent (143 to 203); the number of formal decisions regarding postconviction matters more than doubled (18 to 37) in one year. Although the Supreme Court revoked the licenses of nine attorneys, suspended the licenses of nine lawyers, and imposed lesser penalties on ten others, only four cases were disposed by a formal published opinion.

Financial Statement

The 1981 Session of the 69th General Assembly appropriated \$10,894,533 to finance the operation and administration of the trial and appellate courts in Iowa for fiscal year ending June 30, 1982. (This figure includes appropriations for the Supreme Court, Court of Appeals, State Court Administrator's Office, Judicial Qualifications Commission, Board

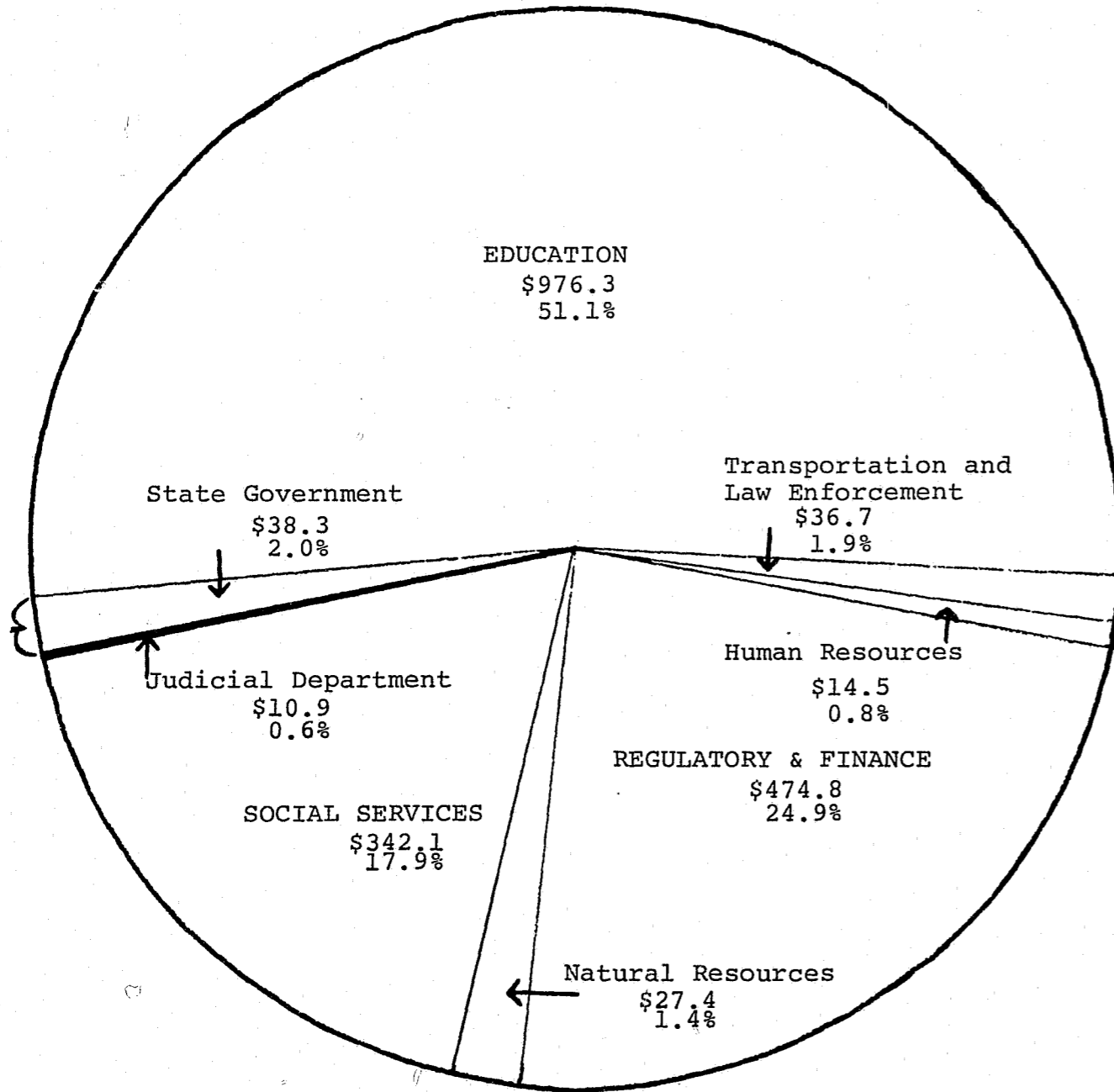
of Law Examiners, Board of Shorthand Reporters, and the salaries and travel expenses of all trial court judges.) The appropriation for the judiciary represented 0.6 of one percent of the total State budget of \$1,910,160,378. Of the 10.9 million appropriated to the Judicial Department for operations, administration, boards, and retirement, \$10.5 million or 95.8 percent was earmarked for salaries and fringe benefits - chief justice of the Supreme Court, \$57,900; eight justices \$52,900; chief judge of the Court of Appeals, \$51,300; four associate judges \$50,200; eight chief judges of the district court, \$49,100; 87 district court judges, \$47,000; 30 district associate judges and nine substitute district associate judges, \$38,900; and 164 magistrate (part-time) positions, \$10,800.

As noted in Chart 2 on the following page, the major appropriation categories and their share of the State's budget were: Education, 51.1 percent, Regulatory and Finance, 24.9 percent; Social Services 17.9 percent; State Department (including the Judicial Branch), 2.0 percent; Transportation and Law Enforcement, 1.9 percent; Natural Resources, 1.4 percent; and Human Resources, 0.8 percent.

CHART 2

STATE OF IOWA

Appropriated funds for Fiscal Year 1982
in millions of dollars \$1,910.2



The cost of administering the Judicial Department is 0.6 of one percent of the total State Budget for FY 1982.

TABLE 1
 NUMBER OF CIVIL, CRIMINAL, AND DISCIPLINARY CASES TERMINATED
 BY FORMAL OPINION - SUPREME COURT OF IOWA 1976-1981

| | CIVIL | CRIMINAL | DISCIPLINARY | TOTAL |
|-------|------------|------------|--------------|------------|
| 1981 | 208 | 171 | 4 | 383 |
| 1980 | 187 | 84 | 4 | 275 |
| 1979 | 202 | 81 | 7 | 290 |
| 1978 | 245 | 103 | 9 | 357 |
| 1977 | 252 | 118 | 4 | 374 |
| 1976 | 176 | 210 | 8 | 394 |
| 1975 | <u>229</u> | <u>143</u> | <u>6</u> | <u>378</u> |
| TOTAL | 1,499 | 910 | 42 | 2,451 |

- a. Where two or more related cases were consolidated for purposes of decision-making and resolved by one Court opinion, only one of the combined cases was counted in computing the total number of dispositions by opinion. In 1981, the 383 Supreme Court decisions involved 396 case filings.
- b. The "civil" case category in this report includes appeals from final denials of postconviction relief, and all certiorari cases.
- c. "Criminal" means direct appeals from final judgment in criminal cases.
- d. Includes only the bar disciplinary proceedings disposed of by written opinion and published in the North Western Reporter.

TABLE 2

FORMAL DISPOSITIONS BY THE SUPREME COURT OF IOWA
AS CLASSIFIED BY MODE OF REVIEW

| <u>MODE OF REVIEW</u> | <u>NUMBER OF FORMAL DISPOSITIONS</u> | |
|---|--------------------------------------|-------------|
| | <u>1980</u> | <u>1981</u> |
| Appeal from Final Order (judgment) in District Court | | |
| Civil Case | 149 | 145 |
| Criminal Case | 75 | 159 |
| Original Certiorari | | |
| Civil Case | 4 | 6 |
| Criminal Case | 4 | 3 |
| Appeal from Interlocutory Appeal | 10 | 19 |
| Discretionary Review of Small Claim | 5 | 1 |
| Certified Question of Law | 2 | 3 |
| Appeal in Postconviction Relief Proceeding | 8 | 21 |
| Lawyer Disciplinary | 4 | 4 |
| Further Review | 10 | 15 |
| Miscellaneous | <u>4</u> | <u>7</u> |
| Total Dispositions | 275 | 383 |

TABLE 3
 NUMBER AND TYPES OF CASES DISPOSED OF
 BY SUPREME COURT OPINION, 1977-1981

| TYPE OF CASE | 1977 | 1978 | 1979 | 1980 | 1981 |
|--|------------|------------|------------|------------|------------|
| CIVIL | | | | | |
| Administrative Law | 27 | 40 | 54 | 31 | 23 |
| Contracts | 43 | 32 | 39 | 42 | 29 |
| Contested child custody | 11 | 12 | 9 | 10 | 14 |
| Domestic relations not involving child custody | 27 | 19 | 8 | 8 | 32 |
| Postconviction relief | 9 | 9 | 8 | 8 | 21 |
| Property | 25 | 22 | 13 | 15 | 16 |
| Taxation | 14 | 7 | 5 | 4 | 4 |
| Tort | 54 | 45 | 33 | 34 | 33 |
| Trust, estates, wills | 11 | 10 | 5 | 9 | 7 |
| Other | 31 | 49 | 28 | 26 | 29 |
| TOTAL CIVIL | <u>252</u> | <u>245</u> | <u>202</u> | <u>187</u> | <u>208</u> |
| CRIMINAL | | | | | |
| Guilty plea only | 14 | 7 | 2 | 4 | 11 |
| Sentencing only | 14 | 11 | 14 | 9 | 19 |
| Guilty plea and sentencing only | 4 | 2 | 3 | 3 | 7 |
| Other | 86 | 83 | 62 | 68 | 134 |
| TOTAL CRIMINAL | <u>118</u> | <u>103</u> | <u>81</u> | <u>84</u> | <u>171</u> |
| LAWYER DISCIPLINARY PROCEEDINGS | | | | | |
| | <u>4</u> | <u>9</u> | <u>7</u> | <u>4</u> | <u>4</u> |
| TOTAL | <u>374</u> | <u>357</u> | <u>290</u> | <u>275</u> | <u>383</u> |

TABLE 4

NUMBER OF CIVIL AND CRIMINAL CASES: IN WORK^a, READY^b, ASSIGNED^c,
AND OUT-TO-SUPREME COURT JUSTICES^d - A COMPARISON OF
CASELOADS, DECEMBER 31, 1979, 1980, AND 1981

| | 1979 | | | 1980 | | | 1981 | | |
|---------------------|-------|----------|-------|-------|----------|-------|-------|----------|-------|
| | CIVIL | CRIMINAL | TOTAL | CIVIL | CRIMINAL | TOTAL | CIVIL | CRIMINAL | TOTAL |
| IN WORK | 485 | 294 | 779 | 433 | 424 | 857 | 491 | 362 | 853 |
| READY | 95 | 30 | 125* | 67 | 33 | 100* | 200 | 34 | 234* |
| ASSIGNED | 19 | 11 | 30 | 20 | 9 | 29 | 18 | 11 | 29 |
| OUT-TO- JUSTICES | 19 | 15 | 34 | 24 | 15 | 43 | 34 | 15 | 49 |
| TOTALS | 618 | 350 | 968 | 544 | 485 | 1,029 | 743 | 422 | 1,165 |

- a. In Work - All cases docketed which are not yet ready for submission.
b. Ready - All cases ready for submission.
c. Assigned - All cases which have been assigned to the judges and will be submitted or formally presented to the Court within a month.
d. Out-to-Justices - All cases submitted to the Court which have not been decided.

*For purposes of this table, the 377, 460, and 454 cases transferred to the Court of Appeals in 1979, 1980, and 1981, respectively, were deducted from the number of ready cases pending before the Supreme Court.

TABLE 5
 AVERAGE DELAY (IN MONTHS) FROM THE TIME A
 CASE IS READY FOR SUBMISSION TO OPINION -
 SUPREME COURT OF IOWA

| YEAR | TYPE OF CASE | | | AVERAGE DELAY |
|------|--------------|-------------------|----------|------------------|
| | CIVIL | PRIORITY CIVIL | CRIMINAL | |
| 1981 | 5.9 | 4.7 | 4.9 | 5.2 |
| 1980 | 5.2 | 4.3 | 4.8 | 5.0 |
| 1979 | 5.4 | 4.0 | 4.4 | 5.0 |
| 1978 | 8.3 | 4.1 | 4.2 | 6.5 |
| 1977 | 17.0 | 4.3 | 4.5 | 12.2 |
| 1976 | 20.2 | 4.0 | 3.8 | 9.0 |
| 1975 | 14.6 | 3.3 | 4.7 | 9.0 |

TABLE 6

DISPOSITION OF CASES AT THE SUPREME COURT LEVEL BY ORDER
OR OTHER MODE PRIOR TO FORMAL SUBMISSION TO THE COURT, 1981

| TYPE OF DISPOSITION | NUMBER OF DISPOSITIONS | |
|---|------------------------|-----------|
| | CIVIL | CRIMINAL |
| Voluntary dismissal or withdrawal of appeal or other review by appellant | 259 | 97 |
| Dismissal by the clerk pursuant to Rule 19, R. App. P., for failure to cure default within 15 days after notice | 42 | 33 |
| Dismissal by court for failure to comply with Rules of Appellate Procedure | 3 | 2 |
| Dismissal by court for lack of jurisdiction | 13 | - |
| Dismissal by court of frivolous criminal appeal pursuant to Rule 104, Rules of Appellate Procedure | - | 65 |
| Denial of petition for permission to appeal an interlocutory ruling | 86 | - |
| Denial of petition for writ of certiorari | 29 | 11 |
| Denial of petition for discretionary review | 18 | 54 |
| Cases transferred to the Court of Appeals by order of the Supreme Court | 305 | 149 |
| Consolidations* | 9 | 4 |
| Other | <u>45</u> | <u>52</u> |
| Totals | 809 | 467 |
| TOTAL CIVIL AND CRIMINAL | <u>1,276</u> | |

*For purposes of this table, cases were classified as consolidated at the time an order granting consolidation was filed.

TABLE 7
NUMBER OF CIVIL, CRIMINAL, AND DISCIPLINARY
CASES DISPOSED OF BY OPINION OF THE SUPREME COURT
EN BANC AND BY DIVISION, 1979-1981

| | EN BANC | | | DIVISION | | | PERCENT EN BANC | | |
|--------------|---------|------|------|----------|------|------|-----------------|--------|--------|
| | 1979 | 1980 | 1981 | 1979 | 1980 | 1981 | 1979 | 1980 | 1981 |
| CIVIL | 45 | 35 | 20 | 157 | 152 | 188 | 22.3% | 18.7% | 9.6% |
| CRIMINAL | 10 | 8 | 8 | 71 | 76 | 163 | 12.3% | 9.5% | 4.6% |
| DISCIPLINARY | 7 | 4 | 4 | - | - | - | 100.0% | 100.0% | 100.0% |
| TOTAL | 62 | 47 | 32 | 228 | 228 | 351 | 21.4% | 17.1% | 8.3% |

TABLE 8

NUMBER OF CIVIL AND CRIMINAL CASES TRANSFERRED TO, TERMINATED BY, AND
PENDING BEFORE THE IOWA COURT OF APPEALS, 1977-1981

| | TRANSFERRED | | | TERMINATED | | | PENDING END OF YEAR | | |
|-------|-------------|----------|-------|------------|----------|-------|---------------------|----------|-------|
| | CIVIL | CRIMINAL | TOTAL | CIVIL | CRIMINAL | TOTAL | CIVIL | CRIMINAL | TOTAL |
| 1981 | 305 | 149 | 454 | 348 | 163 | 511 | 50 | 32 | 82 |
| 1980 | 344 | 116 | 460 | 303 | 94 | 397 | 93 | 46 | 139 |
| 1979 | 263 | 114 | 377 | 259 | 120 | 379 | 52 | 24 | 76 |
| 1978 | 245 | 125 | 370 | 267 | 117 | 384 | 48 | 30 | 78 |
| 1977 | 330 | 95 | 425* | 260 | 73 | 333 | 70 | 22 | 92 |
| TOTAL | 1,487 | 599 | 2,086 | 1,437 | 567 | 2,004 | 313 | 154 | 467 |

*Includes 69 cases - 56 civil and 13 criminal - transferred to the Court of Appeals in late 1976.

TABLE 9

TABLE 9
NUMBER AND TYPES OF CASES DISPOSED OF BY OPINION-
IOWA COURT OF APPEALS, 1977-1981

| TYPE OF CASE | NUMBER OF DISPOSITIONS | | | | |
|--|------------------------|------------|------------|------------|------------|
| | 1977 | 1978 | 1979 | 1980 | 1981 |
| CIVIL | | | | | |
| Administrative Law | 15 | 21 | 13 | 33 | 36 |
| Contracts | 39 | 26 | 47 | 35 | 39 |
| Contested Child Custody | 23 | 50 | 35 | 44 | 63 |
| Domestic Relations not involving Child Custody | 58 | 68 | 76 | 81 | 94 |
| Postconviction Relief | 7 | 7 | 8 | 10 | 16 |
| Property | 40 | 40 | 21 | 26 | 24 |
| Taxation | 4 | 4 | 2 | 3 | 4 |
| Tort | 52 | 30 | 25 | 34 | 35 |
| Trusts, Estates, Wills | 13 | 3 | 13 | 14 | 13 |
| Other | 6 | 17 | 17 | 16 | 14 |
| TOTAL CIVIL | <u>257</u> | <u>266</u> | <u>257</u> | <u>296</u> | <u>338</u> |
| CRIMINAL | | | | | |
| Guilty Plea Only | 5 | 11 | 11 | 3 | 10 |
| Sentencing Only | 2 | 5 | 9 | 7 | 12 |
| Guilty Plea and Sentencing Only | 2 | 1 | - | 2 | 5 |
| Other | 63 | 99 | 100 | 82 | 136 |
| TOTAL CRIMINAL | <u>72</u> | <u>116</u> | <u>120</u> | <u>94</u> | <u>163</u> |
| TOTAL | <u>329</u> | <u>382</u> | <u>377</u> | <u>390</u> | <u>501</u> |

TABLE 10

AVERAGE DELAY (IN MONTHS) FROM THE TIME A
CASE IS READY FOR SUBMISSION TO OPINION -
IOWA COURT OF APPEALS

| YEAR | TYPE OF CASE | | | TOTAL |
|------|--------------|-------------------|----------|-------|
| | CIVIL | PRIORITY CIVIL | CRIMINAL | |
| 1981 | 5.8 | 5.0 | 5.0 | 5.5 |
| 1980 | 4.8 | 4.8 | 4.8 | 4.8 |
| 1979 | 5.2 | 4.2 | 4.6 | 4.9 |
| 1978 | 7.3 | 4.0 | 4.1 | 5.8 |
| 1977 | 16 1 | 4.6 | 4.6 | 12.5 |

TABLE 11

NUMBER OF CIVIL AND CRIMINAL CASES FILED*
AT THE APPELLATE COURT LEVEL, 1971-1981

| | CIVIL** | CRIMINAL | TOTAL |
|------|---------|----------|-------|
| 1981 | 1,175 | 558 | 1,733 |
| 1980 | 1,081 | 539 | 1,620 |
| 1979 | 1,014 | 493 | 1,507 |
| 1978 | 1,003 | 487 | 1,490 |
| 1977 | 785 | 446 | 1,231 |
| 1976 | 737 | 439 | 1,176 |
| 1975 | 694 | 392 | 1,086 |
| 1974 | 594 | 362 | 956 |
| 1973 | 611 | 364 | 975 |
| 1972 | 361 | 285 | 646 |
| 1971 | 376 | 284 | 660 |

*A case is considered filed or docketed at the time the clerk
prepares a docket page and assigns a number to the case.
**Includes attorney disciplinary cases.

II. TRIAL COURT

THE IOWA DISTRICT COURT

The unified trial court, known as the "Iowa District Court," became operative July 1, 1973. The district court has general and original jurisdiction of all actions and proceedings, including probate and juvenile matters. Its jurisdiction is exercised by senior judges, district judges, district associate judges, and judicial magistrates. The salary and travel expenses of all judges and magistrates are funded by the State.

The Unified Trial Court Act requires the clerk of the district court to furnish each judicial magistrate, associate judge, or district judge acting as a judicial magistrate, a docket in which to enter all proceedings within their jurisdiction, except those required to be docketed with the clerk and assigned to judicial officers for disposition. The chief judge of a judicial district is authorized to order criminal proceedings combined in a centralized docket.

Judicial Magistrates

The Unified Trial Court Act created and allotted 191 part-time judicial magistrate positions to the 99 counties in the state, ranging from one to six per county. The original allotment remained in effect until June 30, 1975. Since that date, the state court administrator has apportioned magistrates among the counties.

A judicial magistrate appointing commission selects the magistrates to fill the positions allotted to the county. The person appointed must be an elector of the county and able to serve a full term of office before reaching the mandatory retirement age of seventy-two (72). Although a license to practice law is not required, the commission must first consider licensed attorneys. In counties allotted only one such position, the appointing commission is authorized to appoint an additional magistrate and divide the statutory salary. (Guthrie and Ida Counties exercised this option in 1981.) Part-time magistrates serve a two-year term of office commencing July 1, in odd-numbered years. The apportionment made in 1979 and reaffirmed in 1981 appears in Appendix E.

As amended, the Unified Trial Court Act authorizes any county with an allotment of three or more magistrate positions to appoint a substitute district associate judge to serve in lieu of three part-time magistrates. (Effective

January 1, 1981, full-time and substitute full-time magistrates were renamed district associate judges and substitute district associate judges, respectively. Chapter 1022, Acts of the 68th G.A., 1980 Session.) The substitution is made by order of the chief judge of the judicial district on the affirmative vote of a majority of the district judges in the judicial election district in which the county is located. Substitute district associate judges are nominated, appointed, and retained in the same manner as district associate judges. They also have the same qualifications, rights, salary, duties, responsibilities, authority, and jurisdiction as regular district associate judges.

Jurisdiction

Part-time judicial magistrates have jurisdiction of the following:

1. Preliminary hearing cases. [Cases in which they act as committing magistrates on felonies and indictable misdemeanors. R.Cr.P. 2(4)(a), The Code.]
 2. Nonindictable or simple misdemeanors, including traffic and ordinance violations. [A simple misdemeanor is a criminal offense in which the punishment does not exceed a fine of \$100 or imprisonment for 30 days.]
 3. Search warrant proceedings.
 4. Emergency hospitalization proceedings. (section 229.22, The Code.)
 5. Lost property actions. [These include issuing a warrant directing a peace officer to appoint appraisers to fix the value of vessels, rafts, logs, and lumber which have been stopped or taken up and determining the ownership of other lost property (Chapter 644).]
- The above proceedings are all required to be entered in the docket furnished to them by the clerk or in the centralized docket for the county, if one is ordered to be maintained by the chief judge of the judicial district.
6. Small claims. [A small claim is a civil action (1) for a money judgment where the amount in controversy is \$1,000 or less, exclusive of interest and costs, and (2) actions for forcible entry and detainer where no question of title to the property is involved.]

The Act requires the clerk of the district court to maintain the docket for small claims actions. If the action is one for money judgment and it is not disposed of by the clerk through entry of a confession of judgment, default judgment, or a voluntary dismissal, it must be assigned to a judicial officer having jurisdiction of such actions. This is done by delivering the original notice first filed with the clerk to the officer. If it is an action for forcible entry and detainer, the appearance is required before the judicial officer who must handle the entire proceeding, including an order for the issuance of a writ of eviction if the plaintiff prevails. Again, the assignment is perfected by the clerk delivering the original notice first filed and all papers in the case to the judicial officer.

The record of all actions taken by the judicial officer in either type of small claims proceeding, including notes of testimony and judgment entry, is made on the original notice to which exhibits, if any, are attached and returned to the clerk. It serves as a calendar sheet from which the clerk makes proper entries in the small claims docket and on the lien index. Small claims actions are not entered in the docket furnished to judicial officers by the clerk or in the centralized docket used for criminal proceedings.

DISTRICT ASSOCIATE JUDGES

The original Act provided for 30 magistrates required to devote full time to their position. One to four positions were authorized to counties in four population categories ranging from 35,000 to over 200,000. The 25 municipal court judges holding office June 30, 1973, became district associate judges and satisfied the requirement of a regular full-time magistrate in the county of their residence. Upon the death, resignation, retirement, removal, or nonretention of a district associate judge, a full-time magistrate was appointed to fill the vacancy. By the end of 1980, there were 17 regular full-time magistrates and nine substitute full-time magistrates.

As noted above, effective January 1, 1981, full-time and substitute full-time magistrates were renamed district associate judges and substitute district associate judges, respectively. (Chapter 1022, Acts of the 68th G.A., 1980 Session.) Substitute district associate judges have the same qualifications, jurisdiction, and salary as district associate judges. Full-time magistrates who became district associate or substitute district associate judges on January, 1981, and persons appointed to these positions on or before November 2, 1981, stand for retention in office in their judicial election district in 1982, and every four years thereafter.

Persons appointed to these offices after November 1, 1981, who cannot complete a one-year initial term of office before the November 2, 1982, general election, will stand for retention at the 1984 general election.

Unless otherwise indicated, for purposes of this report the term "district associate judge" shall include both regular and substitute district associate judges. The number of such judges by judicial election district and county is illustrated below.

| Judicial Election District | County | District Associate Judges | Substitute District Associate Judges |
|----------------------------|---------------|---------------------------|--------------------------------------|
| 1A | Dubuque | 2 | - |
| 1B | Black Hawk | 3 | - |
| 2A | Cerro Gordo | 1 | - |
| 2B | Marshall | 1 | - |
| 2B | Webster | 1 | - |
| 2B | Story | 1 | 1 |
| 3A | Dickinson | - | 1 |
| 3B | Woodbury | 2 | 1 |
| 4 | Pottawattamie | 2 | 1 |
| 5A | Jasper | 1 | - |
| 5A | Polk | 4 | 2 |
| 5A | Warren | - | 1 |
| 6 | Johnson | 1 | - |
| 6 | Linn | 3 | 1 |
| 7 | Clinton | 1 | - |
| 7 | Muscatine | 1 | - |
| 7 | Scott | 3 | - |
| 8A | Des Moines | 1 | 1 |
| 8A | Lee | 1 | - |
| 8B | Wapello | 1 | - |
| TOTAL | | 30 | 9 |

In counties having only one district associate judge, the county judicial magistrate appointing commission is authorized to appoint an alternate district associate judge to act in the temporary absence of a district associate judge. Such alternate is paid on a per diem basis by the state for days of actual service rendered. In 1981, an alternate district associate judge served in Dickinson, Marshall, and Warren Counties.

Jurisdiction

District associate judges have the same jurisdiction as part-time magistrates. In addition, they have jurisdiction of:

1. Civil actions for money judgments where the amount in controversy does not exceed \$3,000,
2. Indictable (serious and aggravated) misdemeanors, and
3. Juvenile cases when designated as a judge of the juvenile court by the chief judge of the judicial district.

While exercising such additional jurisdiction, they are not only required to employ district judges' practice and procedure, but, as the cases are docketed with the clerk of the district court, they must be assigned and delivered to the judge with a calendar sheet on which to report the disposition of the case.

Trial by Jury and Appeal Provisions

A defendant charged with a nonindictable or simple misdemeanor is entitled to a trial by a six-member jury if he or she files a written jury demand at least ten days before the time set for trial. Failure to make such demand constitutes a waiver of jury. The plaintiff may appeal only upon a finding of invalidity of an ordinance or statute and the defendant only upon a judgment of conviction. If the original action was tried by a magistrate, the district judge shall try the case anew; a case tried by a district associate judge or a district judge acting as an associate judge is appealed to a district judge on the record. Either party may appeal from the judgment of the district judge to the Supreme Court in the same manner as from a judgment in a prosecution by indictment.

A small claims action is tried before the judicial officer to whom it is assigned without the right to a jury. Either party may appeal to a district court judge who is required to hear the matter on the record. If it appears the trial record is incomplete, the district court judge may take additional testimony and evidence. The right of either party to appeal from the judgment of the district judge is entirely within the discretionary power of the Supreme Court.

DISTRICT COURT JUDGES

In January, 1981, there were 92 district court judges in Iowa. Under the judgeship formula computed in February, 1981, 117 judgeships were authorized. However, the provisions of section 602.18, The Code, limited the maximum number of judgeships to 92. In May, 1981, the legislature increased the maximum number of judgeships to 95, effective October 1. The latest computation of the judgeship formula (February, 1982) authorized a total of 123 judgeships. The statutory formula and a copy of the application of the formula in 1981 and 1982 appear at the end of this part of the report.

For purposes of administration and ordinary judicial functions, the state is divided into eight judicial districts (Appendix D) and into 13 judicial election districts for purposes stated in the footnote to the map appearing on page 33. With 95 judges serving in the eight judicial districts during the last quarter of 1981, the population spread per judge ranged from 26,935 in the 5th to 35,438 in the 3rd District. [Appendix C.]

Jurisdiction

District judges possess the full jurisdiction of the trial court, including the jurisdiction of judicial magistrates. While exercising the latter, they are required to employ the practice and procedure for judicial magistrates. Under the Iowa probate code they are the only judges sitting in probate.

Senior Judges

Effective July 1, 1979, the Sixty-eighth General Assembly established a senior judge program whereby retired Supreme Court justices, Court of Appeals judges, district court judges, and district associate judges who qualify agree to work up to 13 weeks per year until age 78. The Supreme Court may not assign a senior judge judicial duties on a court superior to the highest court to which he or she was appointed prior to retirement. A senior judge may not be assigned to the Court of Appeals or the Supreme Court except to serve in the temporary absence of a member of that court. A senior judge may not practice law.

While serving on temporary assignment, a senior judge is paid no salary but continues to receive monthly judicial retirement annuities. The senior judge program provides a hedge against inflation by mandating an increase in judicial annuity whenever the current salary of active judges is raised. There is no provision for an increase in judicial annuity for judges who do not participate in the senior judge system.

As of January 1, 1982, three Supreme Court justices - M.L. Mason, C. Edwin Moore, and Warren J. Rees - and seven district court judges - James E. Hughes, Lowell D. Phelps, John N. Hughes, Harold L. Martin, Nathan Grant, Paul E. Hellwege, and Frank D. Elwood have taken senior judge status. In this report, the work of these judges is combined with the caseload of district court judges.

Clerk of District Court

The clerk's office in the 99 counties performed two important functions during 1981 which reduced the workload of the judicial officers in each county. These were:

1. Kept the small claims docket and, through the entry of confessions of judgment, default judgments and voluntary dismissals in actions for a money judgment, avoided the necessity of assigning many such cases to judicial officers. [Tables 12(d), 14(e), and 15.]
2. Maintained a traffic violations office where scheduled violations were admitted and disposed of upon payment of the minimum fine and costs before the time specified for appearance before the court on a uniform citation and complaint issued to the alleged violator. [Table 16.]

Judgeship Formula

The subsections of section 602.18, The Code, relating to the determination of the number of judges in each of the 13 judicial election districts and the matter of filling judgeship vacancies, are as follows:

1. Subject to the provision for temporary assignment of judges, as set out in subsection 9, hereof, each district judge in office on July 1, 1967 shall continue to serve in the district of his domicile so long as he remains a district judge, regardless of the number of judgeships to which the district is entitled under subsection 2 hereof.
2. The number of judgeships to which each of the judicial election districts shall be entitled shall be determined from time to time according to the following formula:
 - a. In an election district wherein the largest county contains two hundred thousand or more population, there shall be one judgeship per seven hundred twenty-five combined civil and criminal filings or major fraction

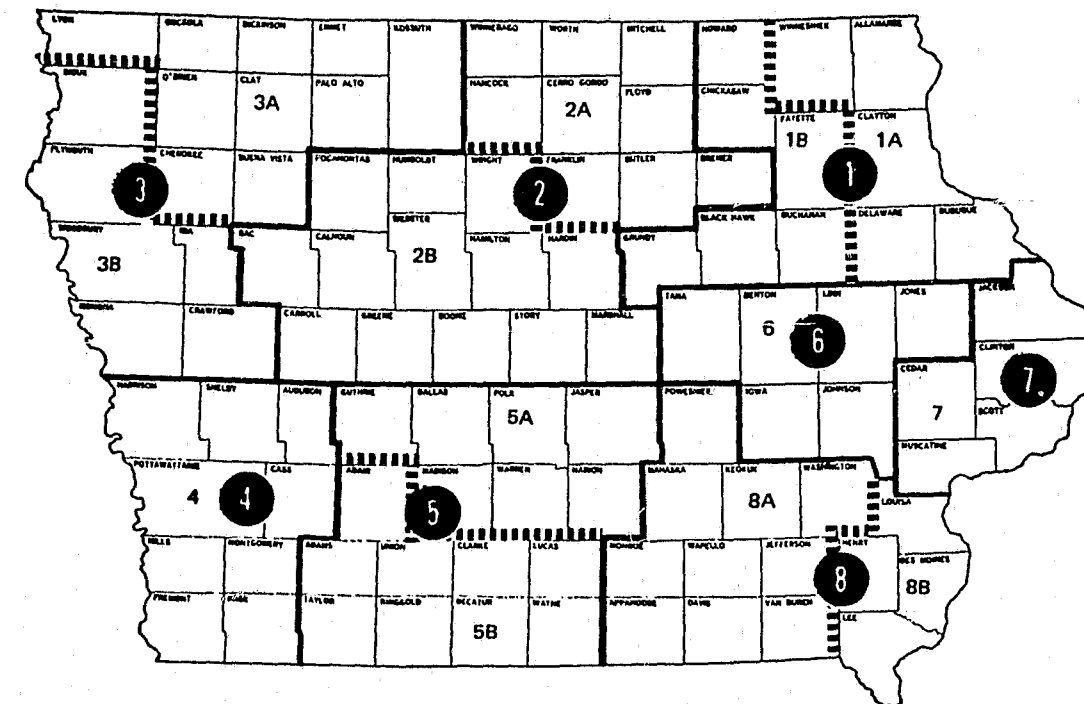
thereof; provided, the seat of government shall be entitled to one additional judgeship.

b. In an election district wherein the largest county contains eighty-five thousand or more population, but less than two hundred thousand, there shall be one judgeship per six hundred twenty-five combined filings or major fraction thereof.

c. In an election district wherein the largest county contains forty-five thousand or more population, but less than eighty-five thousand, there shall be one judgeship per five hundred twenty-five combined civil and criminal filings or major fraction thereof.

d. In an election district wherein the largest county contains less than forty-five thousand population, there shall be one

Iowa's 8 Judicial Districts and 13 Judicial Election Districts



*Judicial election districts are for the purposes of nomination, appointment, and election of district judges, the application of the judgeship formula, the removal of judicial magistrates, and the appointment of substitute and regular full-time judicial magistrates.

judgeship per four hundred seventy-five combined civil and criminal filings or major fraction thereof.

e. Notwithstanding paragraphs a, b, c, or d of this subsection, each election district shall be entitled to not less than one judgeship for each forty thousand population or major fraction thereof contained in the election district. The court administrator shall determine both the number of judgeships for each election district based upon this paragraph, and the number of judgeships for each election district based upon paragraph a, b, c, or d of this subsection. If the number for any election district determined under this paragraph exceeds the number determined under paragraph a, b, c, or d, that election district shall be entitled to the number of judgeships determined under this paragraph.

f. The filings included in the determinations to be made under this subsection shall not include small claims or nonindictable misdemeanors filed after June 30, 1973, nor shall they include either civil actions for money judgment where the amount in controversy does not exceed three thousand dollars or indictable misdemeanors, which were assigned to district associate judges and judicial magistrates as shown on their administrative reports, but they shall include appeals from decisions of judicial magistrates, district associate judges, and district judges sitting as judicial magistrates. The figures on filings shall be the average for the latest available previous three-year period and when current census figures on population are not available, figures shall be taken from the state department of health computations.

3. A vacancy, for purposes of this section, is defined as the death, resignation, retirement, removal, or failure of retention in office at the judicial election, of a judge or increase in judgeships under this section.

4. In those districts having more judges than the number of judgeships specified by the formula set out in subsection 2 hereof, vacancies shall not be filled.

5. In those districts having fewer judges or the same number of judges as the number of judgeships specified by the formula set out in subsection 2 hereof, vacancies in the number of judges shall be filled as they occur.

6. In those judicial districts that contain judicial election districts, no vacancy in any judicial election district shall be filled if the total number of judges in all the judicial election districts within the judicial district equals or exceeds the number of judgeships to which all the judicial election districts of the judicial district combined are authorized.

7. Vacancies shall not be filled in any district which may become entitled to fewer judgeships under subsection two (2) of this section; but no incumbent judge shall ever be removed from office by reason thereof.

8. During February of each year, and at such other times as may be appropriate, the supreme court administrator shall make the determinations required under this section, and shall notify the nominating commissions involved and the governor of any appointments that may be required as a result thereof.

9. It shall be the duty of the chief justice to assign judges and other court personnel from one judicial district to another, on a continuing basis, if need be, in order to provide a sufficient number of judges to handle the judicial business in all districts promptly and efficiently at all times.

Notwithstanding this section, the number of district judges shall not be increased by more than three in order that the number of district judges shall not exceed ninety-two during the period commencing with July 1, 1977 and ending at such time as the general assembly shall otherwise specify.

In May, 1981, the General Assembly amended the paragraph above and approved legislation increasing the number of district judges to ninety-five (95), effective October 1, 1981. (Chapter 189, section 1, Acts of the 69th G.A., 1981 Session.) The three new judgeships were awarded to the most deserving judicial election districts (2B, 7th, 6th) according to the February 11, 1981, application of the formula found on the next page.

TABLE 3
NUMBER AND TYPES OF CASES DISPOSED OF
BY SUPREME COURT OPINION, 1977-1981

| TYPE OF CASE | 1977 | 1978 | 1979 | 1980 | 1981 |
|---|------------|------------|------------|------------|------------|
| CIVIL | | | | | |
| Administrative Law | 27 | 40 | 54 | 31 | 23 |
| Contracts | 43 | 32 | 39 | 42 | 29 |
| Contested child custody | 11 | 12 | 9 | 10 | 14 |
| Domestic relations not involving child custody | 27 | 19 | 8 | 8 | 32 |
| Postconviction relief | 9 | 9 | 8 | 8 | 21 |
| Property | 25 | 22 | 13 | 15 | 16 |
| Taxation | 14 | 7 | 5 | 4 | 4 |
| Tort | 54 | 45 | 33 | 34 | 33 |
| Trust, estates, wills | 11 | 10 | 5 | 9 | 7 |
| Other | 31 | 49 | 28 | 26 | 29 |
| TOTAL CIVIL | <u>252</u> | <u>245</u> | <u>202</u> | <u>187</u> | <u>208</u> |
| CRIMINAL | | | | | |
| Guilty plea only | 14 | 7 | 2 | 4 | 11 |
| Sentencing only | 14 | 11 | 14 | 9 | 19 |
| Guilty plea and sentencing only | 4 | 2 | 3 | 3 | 7 |
| Other | 86 | 83 | 62 | 68 | 134 |
| TOTAL CRIMINAL | <u>118</u> | <u>103</u> | <u>81</u> | <u>84</u> | <u>171</u> |
| LAWYER DISCIPLINARY PROCEEDINGS | | | | | |
| | <u>4</u> | <u>9</u> | <u>7</u> | <u>4</u> | <u>4</u> |
| TOTAL | <u>374</u> | <u>357</u> | <u>290</u> | <u>275</u> | <u>383</u> |

TABLE 4

NUMBER OF CIVIL AND CRIMINAL CASES: IN WORK^a, READY^b, ASSIGNED^c,
AND OUT-TO-SUPREME COURT JUSTICES^d - A COMPARISON OF
CASELOADS, DECEMBER 31, 1979, 1980, AND 1981

| | 1979 | | | 1980 | | | 1981 | | |
|---------------------|-------|----------|-------|-------|----------|-------|-------|----------|-------|
| | CIVIL | CRIMINAL | TOTAL | CIVIL | CRIMINAL | TOTAL | CIVIL | CRIMINAL | TOTAL |
| IN WORK | 485 | 294 | 779 | 433 | 424 | 857 | 491 | 362 | 853 |
| READY | 95 | 30 | 125* | 67 | 33 | 100* | 200 | 34 | 234* |
| ASSIGNED | 19 | 11 | 30 | 20 | 9 | 29 | 18 | 11 | 29 |
| OUT-TO- JUSTICES | 19 | 15 | 34 | 24 | 15 | 43 | 34 | 15 | 49 |
| TOTALS | 618 | 350 | 968 | 544 | 485 | 1,029 | 743 | 422 | 1,165 |

- a. In Work - All cases docketed which are not yet ready for submission.
b. Ready - All cases ready for submission.
c. Assigned - All cases which have been assigned to the judges and will be submitted or formally presented to the Court within a month.
d. Out-to-Justices - All cases submitted to the Court which have not been decided.

*For purposes of this table, the 377, 460, and 454 cases transferred to the Court of Appeals in 1979, 1980, and 1981, respectively, were deducted from the number of ready cases pending before the Supreme Court.

TABLE 5
 AVERAGE DELAY (IN MONTHS) FROM THE TIME A
 CASE IS READY FOR SUBMISSION TO OPINION -
 SUPREME COURT OF IOWA

| YEAR | TYPE OF CASE | | | AVERAGE DELAY |
|------|--------------|-------------------|----------|------------------|
| | CIVIL | PRIORITY CIVIL | CRIMINAL | |
| 1981 | 5.9 | 4.7 | 4.9 | 5.2 |
| 1980 | 5.2 | 4.3 | 4.8 | 5.0 |
| 1979 | 5.4 | 4.0 | 4.4 | 5.0 |
| 1978 | 8.3 | 4.1 | 4.2 | 6.5 |
| 1977 | 17.0 | 4.3 | 4.5 | 12.2 |
| 1976 | 20.2 | 4.0 | 3.8 | 9.0 |
| 1975 | 14.6 | 3.3 | 4.7 | 9.0 |

TABLE 6

DISPOSITION OF CASES AT THE SUPREME COURT LEVEL BY ORDER
OR OTHER MODE PRIOR TO FORMAL SUBMISSION TO THE COURT, 1981

| TYPE OF DISPOSITION | NUMBER OF DISPOSITIONS | |
|---|------------------------|-----------|
| | CIVIL | CRIMINAL |
| Voluntary dismissal or withdrawal of appeal or other review by appellant | 259 | 97 |
| Dismissal by the clerk pursuant to Rule 19, R. App. P., for failure to cure default within 15 days after notice | 42 | 33 |
| Dismissal by court for failure to comply with Rules of Appellate Procedure | 3 | 2 |
| Dismissal by court for lack of jurisdiction | 13 | - |
| Dismissal by court of frivolous criminal appeal pursuant to Rule 104, Rules of Appellate Procedure | - | 65 |
| Denial of petition for permission to appeal an interlocutory ruling | 86 | - |
| Denial of petition for writ of certiorari | 29 | 11 |
| Denial of petition for discretionary review | 18 | 54 |
| Cases transferred to the Court of Appeals by order of the Supreme Court | 305 | 149 |
| Consolidations* | 9 | 4 |
| Other | <u>45</u> | <u>52</u> |
| Totals | 809 | 467 |
| TOTAL CIVIL AND CRIMINAL | <u>1,276</u> | |

*For purposes of this table, cases were classified as consolidated at the time an order granting consolidation was filed.

TABLE 7
NUMBER OF CIVIL, CRIMINAL, AND DISCIPLINARY
CASES DISPOSED OF BY OPINION OF THE SUPREME COURT
EN BANC AND BY DIVISION, 1979-1981

| | EN BANC | | | DIVISION | | | PERCENT EN BANC | | |
|--------------|---------|------|------|----------|------|------|-----------------|--------|--------|
| | 1979 | 1980 | 1981 | 1979 | 1980 | 1981 | 1979 | 1980 | 1981 |
| CIVIL | 45 | 35 | 20 | 157 | 152 | 188 | 22.3% | 18.7% | 9.6% |
| CRIMINAL | 10 | 8 | 8 | 71 | 76 | 163 | 12.3% | 9.5% | 4.6% |
| DISCIPLINARY | 7 | 4 | 4 | - | - | - | 100.0% | 100.0% | 100.0% |
| TOTAL | 62 | 47 | 32 | 228 | 228 | 351 | 21.4% | 17.1% | 8.3% |

TABLE 8

NUMBER OF CIVIL AND CRIMINAL CASES TRANSFERRED TO, TERMINATED BY, AND
PENDING BEFORE THE IOWA COURT OF APPEALS, 1977-1981

| | TRANSFERRED | | | TERMINATED | | | PENDING END OF YEAR | | |
|-------|-------------|----------|-------|------------|----------|-------|---------------------|----------|-------|
| | CIVIL | CRIMINAL | TOTAL | CIVIL | CRIMINAL | TOTAL | CIVIL | CRIMINAL | TOTAL |
| 1981 | 305 | 149 | 454 | 348 | 163 | 511 | 50 | 32 | 82 |
| 1980 | 344 | 116 | 460 | 303 | 94 | 397 | 93 | 46 | 139 |
| 1979 | 263 | 114 | 377 | 259 | 120 | 379 | 52 | 24 | 76 |
| 1978 | 245 | 125 | 370 | 267 | 117 | 384 | 48 | 30 | 78 |
| 1977 | 330 | 95 | 425* | 260 | 73 | 333 | 70 | 22 | 92 |
| TOTAL | 1,487 | 599 | 2,086 | 1,437 | 567 | 2,004 | 313 | 154 | 467 |

*Includes 69 cases - 56 civil and 13 criminal - transferred to the Court of Appeals in late 1976.

TABLE 9

APPLICATION OF THE JUDGESHIP FORMULA UNDER SECTION 602.18, SUBSECTION 2, THE CODE 1979

Based on (1) 3-year Average Combined Filings (1978-79-80), with exclusions listed in section 602.18, subsection 2, The Code, divided by the factor opposite the classification of the population of the largest county in the Judicial Election District as appears in footnotes a, b, c, and d, or (2) one judge for each 40,000 or major fraction of population of entire Election District, whichever results in the largest number of judges.

Table with 5 columns: Judicial Election District, Number Based on (1) Above, Number Based on (2) Above, Formula Judgeships*, Resident Judges. Rows include 1A^b, 1B^b, 2A^c, 2B^c, 3A^d, 3B^b, 4^b, 5A^a, 5B^d, 6^b, 7^b, 8A^d, 8B^c, and State Totals.

- a. 200,000 or more population - one judgeship per 725 filings or major fraction.
b. 85,000 - 199,999 population - one judgeship per 625 filings or major fraction.
c. 45,000 - 84,999 - one judgeship per 525 filings or major fraction.
d. 0 - 44,999 population - one judgeship per 475 filings or major fraction.
e. The seat of state government is entitled to one additional judgeship under the formula.

*Although the 1981 computation of the judgeship formula created twenty-five (25) vacancies, the provisions of Section 3, Chapter 18, 67th, G.A., 1977 Session, limiting the maximum number of judgeships to 92, prohibit the vacancies from being filled.

Prepared February 11, 1981, by: Court Administrator
State Capitol
Des Moines, Iowa 50319

APPLICATION OF THE JUDGESHIP FORMULA UNDER SECTION 602.18, SUBSECTION 2, THE CODE 1981

Based on (1) 3-year Average Combined Filings (1979-80-81), with exclusions listed in section 602.18, subsection 2, The Code, divided by the factor opposite the classification of the population of the largest county in the Judicial Election District as appears in footnotes a, b, c, and d, or (2) one judge for each 40,000 or major fraction of population of entire Election District, whichever results in the largest number of judges.

Table with 5 columns: Judicial Election District, Number Based on (1) Above, Number Based on (2) Above, Formula Judgeships*, Resident Judges. Rows include 1A^b, 1B^b, 2A^c, 2B^c, 3A^d, 3B^b, 4^b, 5A^a, 5B^d, 6^b, 7^b, 8A^d, 8B^c, and State Totals.

- a. 200,000 or more population - one judgeship per 725 filings or major fraction.
b. 85,000 - 199,999 population - one judgeship per 625 filings or major fraction.
c. 45,000 - 84,999 population - one judgeship per 525 filings or major fraction.
d. 0 - 44,999 population - one judgeship per 475 filings or major fraction.
e. The seat of state government is entitled to one additional judgeship.

*Although the 1982 computation of the judgeship formula created twenty-eight (28) vacancies, the provisions of section 602.18, subsection 11, unnumbered paragraph 2, The Code, as amended by chapter 189, section 1, Acts of the 69th G.A., 1981 Session, limit the maximum number of judgeships to ninety-five (95) and, consequently, prohibit the vacancies from being filled.

Prepared February 9, 1982, by: State Court Administrator
State House
Des Moines, IA 50319

TABLE 2

(a) REGULAR CIVIL CASES

ACTIVITY DURING 1981 WITH TOTALS COMPARED
TO THOSE OF 1980

| DISTRICT | PENDING JANUARY 1 | DOCKETED | ASSOCIATE JUDGES ^a | | DISPOSED OF BY DISTRICT JUDGES | TOTAL DISPOSITIONS | PENDING DECEMBER 31 |
|-------------------|----------------------|----------|-------------------------------|-------------|-----------------------------------|-----------------------|------------------------|
| | | | ASSIGNED TO | DISPOSED BY | | | |
| 1 | 6,467 | 7,831 | 399 | 519 | 6,918 | 7,437 | 6,861 |
| 2 | 7,523 | 8,157 | 47 | 49 | 7,502 | 7,551 | 8,129 |
| 3 | 5,734 | 5,860 | 274 | 271 | 5,491 | 5,762 | 5,832 |
| 4 | 3,370 | 4,514 | 2 | 2 | 4,557 | 4,559 | 3,325 |
| 5 | 11,628 | 12,840 | 3 | 3 | 12,969 | 12,972 | 11,496 |
| 6 | 5,045 | 6,230 | - | - | 5,858 | 5,858 | 5,417 |
| 7 | 5,266 | 6,812 | 109 | 100 | 5,817 | 5,917 | 6,161 |
| 8 | 4,927 | 5,981 | 88 | 81 | 5,399 | 5,480 | 5,428 |
| 1981 Statewide | 49,960 ^b | 58,225 | 922 | 1,025 | 54,511 | 55,536 | 52,649 |
| 1980 Statewide | 46,828 | 58,422 | 1,038 | 955 | 52,799 | 53,754 | 51,516 |

a. Includes the work of thirty district associate judges, nine substitute and three part-time alternate district associate judges. Substitute district associate judges served Polk (2), Dickinson, Story, Woodbury, Warren, Linn, Pottawattamie, and Des Moines Counties during 1981; alternate district associate judges served in Dickinson, Jasper, and Warren County. As substitute district associate judges have the same qualifications, jurisdiction, and responsibilities as district associate judges, they are considered one and the same in these tables.

b. This figure differs from that of December 31, 1980 due to inventory corrections.

TABLE 2

(b) REGULAR CIVIL CASES DISPOSED OF BY DISTRICT JUDGES

Methods of Disposition During 1981 With Totals Compared To Those of 1980

| DISTRICT | JUDGES | TOTAL DISPOSED OF | TRIED TO JURY | PERCENT TRIED TO JURY | TRIED TO COURT | PERCENT TRIED TO COURT | WITHOUT TRIAL | PERCENT WITHOUT TRIAL |
|-------------------|--------|----------------------|------------------|--------------------------|-------------------|---------------------------|------------------|--------------------------|
| 1 | 12 | 6,918 | 46 | 0.7% | 697 | 10.1% | 6,175 | 89.2% |
| 2 | 16 | 7,502 | 63 | 0.8% | 873 | 11.7% | 6,566 | 87.5% |
| 3 | 10 | 5,491 | 70 | 1.3% | 409 | 7.4% | 5,012 | 91.3% |
| 4 | 6 | 4,557 | 53 | 1.2% | 863 | 18.9% | 3,641 | 79.9% |
| 5 | 20 | 12,969 | 125 | 0.9% | 1,292 | 10.0% | 11,552 | 89.1% |
| 6 | 11 | 5,858 | 63 | 1.1% | 532 | 9.1% | 5,263 | 89.8% |
| 7 | 10 | 5,817 | 27 | 0.5% | 1,064 | 18.3% | 4,726 | 81.2% |
| 8 | 10 | 5,399 | 25 | 0.5% | 616 | 11.4% | 4,758 | 88.1% |
| 1981 Statewide | 95 | 54,511 | 472 | 0.9% | 6,346 | 11.6% | 47,693 | 87.5% |
| 1980 Statewide | 92 | 52,799 | 451 | 0.8% | 5,848 | 11.1% | 46,500 | 88.1% |

TABLE 2

(c) REGULAR CIVIL CASES DISPOSED OF BY DISTRICT ASSOCIATE JUDGES
Method of Disposition During 1981 With Totals Compared to Those of 1980

| DISTRICT | JUDGES | TOTAL DISPOSED OF | TRIED TO JURY | PERCENT TRIED TO JURY | TRIED TO COURT | PERCENT TRIED TO COURT | WITHOUT TRIAL | PERCENT WITHOUT TRIAL |
|-------------------|--------|----------------------|------------------|--------------------------|-------------------|---------------------------|------------------|--------------------------|
| 1 | 5 | 519 | - | - | 48 | 9.2% | 471 | 90.8% |
| 2 | 5 | 49 | - | - | 15 | 30.6% | 34 | 69.4% |
| 3 | 4 | 271 | 2 | 0.7% | 21 | 7.7% | 248 | 91.6% |
| 4 | 3 | 2 | - | - | 2 | 100.0% | - | - |
| 5 | 8 | 3 | - | - | 3 | 100.0% | - | - |
| 6 | 5 | - | - | - | - | - | - | - |
| 7 | 5 | 100 | - | - | 20 | 20.0% | 80 | 80.0% |
| 8 | 4 | 81 | - | - | 9 | 11.1% | 72 | 88.9% |
| 1981 Statewide | 39 | 1,025 | 2 | 0.2% | 118 | 11.5% | 905 | 88.3% |
| 1980 Statewide | 39 | 955 | 11 | 1.2% | 233 | 24.4% | 711 | 74.4% |

TABLE 2

(d) REGULAR CIVIL CASES DISPOSED OF PER JUDGE DURING 1981
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | DISTRICT JUDGES | | | ASSOCIATE JUDGES | | |
|-------------------|-----------------|--------------|------------------------|------------------|--------------|------------------------|
| | NUMBER | DISPOSITIONS | PER JUDGE (AVERAGE) | NUMBER | DISPOSITIONS | PER JUDGE (AVERAGE) |
| 1 | 12 | 6,918 | 577 | 5 | 519 | 104 |
| 2 | 16 | 7,502 | 469 | 5 | 49 | 10 |
| 3 | 10 | 5,491 | 549 | 4 | 271 | 68 |
| 4 | 6 | 4,557 | 760 | 3 | 2 | 1 |
| 5 | 20 | 12,969 | 648 | 8 | 3 | 0.4 |
| 6 | 11 | 5,858 | 533 | 5 | - | - |
| 7 | 10 | 5,817 | 582 | 5 | 100 | 20 |
| 8 | 10 | 5,399 | 540 | 4 | 81 | 20 |
| 1981 Statewide | 95 | 54,511 | 574 | 39 | 1,025 | 26 |
| 1980 Statewide | 92 | 52,799 | 574 | 39 | 494 | 13 |

TABLE 3

(a) REGULAR CRIMINAL CASES

ACTIVITY DURING 1981 WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | PENDING JANUARY 1 | DOCKETED | ASSOCIATE JUDGES ASSIGNED TO | DISPOSED OF DISPOSED OF | DISPOSED OF BY DISTRICT JUDGES | TOTAL DISPOSITIONS | PENDING DECEMBER 31 |
|-------------------|----------------------|----------|---------------------------------|----------------------------|-----------------------------------|-----------------------|------------------------|
| 1 | 1,636 | 4,774 | 2,286 | 2,178 | 2,279 | 4,457 | 1,953 |
| 2 | 2,058 | 5,316 | 1,896 | 1,849 | 3,027 | 4,876 | 2,498 |
| 3 | 1,918 | 3,702 | 1,446 | 1,337 | 1,996 | 3,333 | 2,287 |
| 4 | 616 | 2,490 | 1,501 | 1,559 | 979 | 2,538 | 568 |
| 5 | 2,893 | 6,462 | 1,575 | 1,553 | 4,745 | 6,298 | 3,057 |
| 6 | 2,589 | 6,343 | 4,250 | 3,776 | 1,854 | 5,630 | 3,302 |
| 7 | 2,015 | 4,883 | 3,077 | 2,731 | 1,702 | 4,433 | 2,465 |
| 8 | 1,267 | 2,962 | 1,561 | 1,376 | 1,252 | 2,628 | 1,601 |
| 1981 Statewide | 14,992 ^a | 36,932 | 17,592 | 16,359 | 17,834 | 34,193 | 17,731 |
| 1980 Statewide | 13,622 | 35,669 | 17,534 | 16,811 | 17,448 | 34,259 | 15,032 |

a. This figure differs from that of December 31, 1980 due to inventory corrections.

TABLE 3

(b) REGULAR CRIMINAL CASES DISPOSED OF BY DISTRICT JUDGES

Methods of Disposition During 1981 With Totals Compared to Those of 1980

| DISTRICT | JUDGES | TOTAL DISPOSED OF | TRIED TO JURY | PERCENT TRIED TO JURY | TRIED TO COURT | PERCENT TRIED TO COURT | WITHOUT TRIAL | PERCENT WITHOUT TRIAL |
|-------------------|--------|----------------------|------------------|--------------------------|-------------------|---------------------------|------------------|--------------------------|
| 1 | 12 | 2,279 | 62 | 2.7% | 224 | 9.8% | 1,993 | 87.5% |
| 2 | 16 | 3,027 | 86 | 2.9% | 222 | 7.3% | 2,719 | 89.8% |
| 3 | 10 | 1,996 | 43 | 2.2% | 54 | 2.7% | 1,899 | 95.1% |
| 4 | 6 | 979 | 31 | 3.2% | 46 | 4.7% | 902 | 92.1% |
| 5 | 20 | 4,745 | 190 | 4.0% | 167 | 3.5% | 4,388 | 92.5% |
| 6 | 11 | 1,854 | 60 | 3.2% | 296 | 16.0% | 1,498 | 80.8% |
| 7 | 10 | 1,702 | 96 | 5.6% | 49 | 2.9% | 1,557 | 91.5% |
| 8 | 10 | 1,252 | 46 | 3.7% | 97 | 7.7% | 1,109 | 88.6% |
| 1981 Statewide | 95 | 17,834 | 614 | 3.4% | 1,155 | 6.5% | 16,065 | 90.1% |
| 1980 Statewide | 92 | 17,448 | 554 | 3.2% | 1,056 | 6.1% | 15,838 | 90.7% |

TABLE 3

(c) REGULAR CRIMINAL CASES DISPOSED OF BY DISTRICT ASSOCIATE JUDGES

Methods of Disposition During 1981 With Totals Compared to Those of 1980

| DISTRICT | JUDGES | TOTAL DISPOSED OF | TRIED TO JURY | PERCENT TRIED TO JURY | TRIED TO COURT | PERCENT TRIED TO COURT | WITHOUT TRIAL | PERCENT WITHOUT TRIAL |
|-------------------|--------|----------------------|------------------|--------------------------|-------------------|---------------------------|------------------|--------------------------|
| 1 | 5 | 2,178 | 18 | 0.8% | 10 | 0.5% | 2,150 | 98.7% |
| 2 | 5 | 1,849 | 22 | 1.2% | 10 | 0.5% | 1,817 | 98.3% |
| 3 | 4 | 1,337 | 18 | 1.3% | 11 | 0.8% | 1,308 | 97.8% |
| 4 | 3 | 1,559 | 12 | 0.8% | 17 | 1.1% | 1,530 | 98.1% |
| 5 | 8 | 1,553 | 13 | 0.8% | 6 | 0.4% | 1,534 | 98.8% |
| 6 | 5 | 3,776 | 28 | 0.7% | 6 | 0.2% | 3,742 | 99.1% |
| 7 | 5 | 2,731 | 25 | 0.9% | 3 | 0.1% | 2,703 | 99.0% |
| 8 | 4 | 1,376 | 42 | 3.0% | 52 | 3.8% | 1,282 | 93.2% |
| 1981 Statewide | 39 | 16,359 | 178 | 1.1% | 115 | 0.7% | 16,066 | 98.2% |
| 1980 Statewide | 39 | 16,811 | 193 | 1.1% | 168 | 1.0% | 16,450 | 97.9% |

TABLE 3

(d) REGULAR CRIMINAL CASES DISPOSED OF PER JUDGE DURING 1981
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | DISTRICT JUDGES | | | ASSOCIATE JUDGES | | |
|-------------------|-----------------|--------------|-----------|------------------|--------------|-----------|
| | NUMBER | DISPOSITIONS | PER JUDGE | NUMBER | DISPOSITIONS | PER JUDGE |
| 1 | 12 | 2,279 | 190 | 5 | 2,178 | 436 |
| 2 | 16 | 3,027 | 189 | 5 | 1,849 | 370 |
| 3 | 10 | 1,996 | 200 | 4 | 1,337 | 334 |
| 4 | 6 | 979 | 163 | 3 | 1,559 | 518 |
| 5 | 20 | 4,745 | 237 | 8 | 1,553 | 194 |
| 6 | 11 | 1,853 | 168 | 5 | 3,776 | 755 |
| 7 | 10 | 1,702 | 170 | 5 | 2,731 | 546 |
| 8 | 10 | 1,252 | 125 | 4 | 1,376 | 344 |
| 1981 Statewide | 95 | 17,833 | 188 | 39 | 16,359 | 419 |
| 1980 Statewide | 92 | 17,448 | 189 | 39 | 16,811 | 431 |

TABLE 4
NUMBER OF CIVIL FILINGS (AND DISPOSITIONS) IN THE DISTRICT COURT DURING 1981
BY TYPE OF CASE

| DISTRICT | DISSOLUTIONS | UNIFORM SUPPORT | DOMESTIC ABUSE | OTHER EQUITY AND LAW | SMALL CLAIMS APPEALS | TOTAL |
|------------------|----------------|-----------------|----------------|----------------------|----------------------|----------------|
| 1 | 1,819 (1,959) | 1,944 (1,841) | 15 (9) | 3,917 (3,496) | 136 (132) | 7,831 (7,437) |
| 2 | 2,831 (2,777) | 1,192 (1,004) | 19 (18) | 3,954 (3,598) | 161 (154) | 8,157 (7,551) |
| 3 | 1,594 (1,685) | 886 (761) | 25 (16) | 3,257 (3,197) | 98 (103) | 5,860 (5,762) |
| 4 | 1,664 (1,736) | 951 (1,037) | 1 (3) | 1,855 (1,736) | 43 (47) | 4,514 (4,559) |
| 5 | 4,146 (4,376) | 1,530 (1,143) | 17 (14) | 6,931 (7,197) | 216 (242) | 12,840(12,972) |
| 6 | 2,265 (2,207) | 685 (553) | 19 (11) | 3,147 (2,977) | 114 (110) | 6,230 (5,858) |
| 7 | 2,506 (2,109) | 1,072 (1,234) | 11 (6) | 3,167 (2,513) | 56 (55) | 6,812 (5,917) |
| 8 | 1,989 (1,917) | 1,023 (899) | 1 (2) | 2,851 (2,529) | 117 (133) | 5,981 (5,480) |
| 1981 Statewide | 18,814(18,766) | 9,283 (8,472) | 108 (79) | 29,079(27,243) | 941 (976) | 58,225(55,536) |
| Percent of Total | 32.3% (33.8%) | 15.9% (15.3%) | 0.2%(0.1%) | 49.9%(49.1%) | 1.6%(1.7%) | |

Legend: Dissolutions - original actions and modifications.
Uniform Support - actions pursuant to the Uniform Support of Dependents Law (URES), Chapter 252A, The Code.

TABLE 5

NUMBER OF CRIMINAL FILINGS (AND DISPOSITIONS) IN THE DISTRICT COURT DURING 1981
BY CASE TYPE

| DISTRICT | OMVUI (1st/2nd) | OTHER INDICTABLE MISDEMEANORS | FELONIES | SIMPLE MISDEMEANOR APPEALS | TOTAL |
|---------------------|--------------------|-------------------------------------|---------------|----------------------------------|-----------------|
| 1 | 1,687 (1,574) | 1,914 (1,764) | 968 (913) | 205 (206) | 4,774 (4,457) |
| 2 | 1,792 (1,659) | 2,056 (1,809) | 1,214 (1,184) | 254 (224) | 5,316 (4,876) |
| 3 | 1,454 (1,342) | 1,200 (1,109) | 918 (757) | 130 (125) | 3,702 (3,333) |
| 4 | 911 (1,028) | 978 (939) | 522 (493) | 79 (78) | 2,490 (2,538) |
| 5 | 3,062 (2,208) | 1,524 (1,926) | 1,629 (1,914) | 247 (250) | 6,462 (6,238) |
| 6 | 2,425 (2,180) | 2,303 (2,033) | 1,347 (1,170) | 268 (247) | 6,343 (5,630) |
| 7 | 2,017 (1,749) | 1,970 (1,811) | 836 (816) | 60 (57) | 4,883 (4,433) |
| 8 | 998 (793) | 1,122 (996) | 732 (714) | 110 (125) | 2,962 (2,628) |
| 1981 Statewide | 14,346 (12,533) | 13,067 (12,387) | 8,166 (7,961) | 1,353 (1,312) | 36,932 (34,193) |
| Percent of Total | 38.8% (36.7%) | 35.4% (36.2%) | 22.1% (23.3%) | 3.7% (3.8%) | |

Legend: OMVUI - operating a motor vehicle while under the influence.
Other indictable misdemeanors - includes serious and aggravated misdemeanors other than OMVUI.

TABLE 6

(a) PROBATE MATTERSNUMBER OPENED AND TRIALS ON CONTESTS DURING 1981 WITH
TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | JUDGES | TRUSTEESHIPS OPENED | GUARDIANSHIPS & CONSERVATORSHIPS OPENED | ESTATES OPENED | TRIALS TO JURY COURT | |
|-------------------|--------|------------------------|---|-------------------|-------------------------|-----|
| 1 | 12 | 98 | 496 | 2,393 | 1 | 14 |
| 2 | 16 | 152 | 718 | 3,644 | 1 | 68 |
| 3 | 10 | 135 | 565 | 2,450 | 1 | 21 |
| 4 | 6 | 59 | 247 | 1,573 | - | 28 |
| 5 | 20 | 167 | 957 | 3,694 | 14 | 54 |
| 6 | 11 | 100 | 363 | 1,883 | - | 8 |
| 7 | 10 | 73 | 376 | 1,375 | - | 36 |
| 8 | 10 | 85 | 366 | 2,223 | - | 35 |
| 1981 Statewide | 95 | 869 | 4,088 | 19,235 | 17 | 264 |
| 1980 Statewide | 92 | 836 | 3,805 | 18,811 | 7 | 310 |

TABLE 6

(b) DECEDENTS' ESTATES CLOSED

NUMBER CLOSED DURING 1981 AND AGE AT TIME OF CLOSING
WITH TOTALS COMPARED WITH THOSE OF 1980

| DISTRICT | ESTATES CLOSED | PERCENT WITHIN 1 YEAR | PERCENT FROM 1-3 YEARS | AFTER 3 YEARS |
|-------------------|-------------------|--------------------------|---------------------------|------------------|
| 1 | 2,449 | 58% | 31% | 11% |
| 2 | 3,399 | 47% | 42% | 11% |
| 3 | 2,475 | 47% | 38% | 15% |
| 4 | 1,282 | 46% | 40% | 14% |
| 5 | 3,353 | 65% | 26% | 9% |
| 6 | 1,359 | 44% | 43% | 13% |
| 7 | 1,361 | 48% | 30% | 22% |
| 8 | 2,339 | 51% | 33% | 16% |
| 1981 Statewide | 18,017 | 52% | 35% | 13% |
| 1980 Statewide | 17,717 | 50% | 34% | 16% |

*In addition, there were 467 trusteeships and 3,707 guardianships and conservatorships closed in 1981.

TABLE 7

(a) NUMBER AND TYPE OF JUVENILE PETITIONS FILED DURING 1981
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | DELINQ | CHINA | FINA | IC | TOTAL |
|-------------------|--------|-------|------|----|-------|
| 1 | 397 | 187 | 26 | - | 610 |
| 2 | 367 | 308 | 6 | - | 681 |
| 3 | 554 | 197 | 6 | 2 | 759 |
| 4 | 295 | 168 | - | 6 | 469 |
| 5 | 553 | 281 | 19 | 11 | 864 |
| 6 | 532 | 229 | - | 1 | 762 |
| 7 | 419 | 289 | 11 | - | 719 |
| 8 | 403 | 296 | 6 | 1 | 706 |
| 1981 Statewide | 3,520 | 1,955 | 74 | 21 | 5,570 |
| 1980 Statewide | 3,634 | 1,839 | 49 | 39 | 5,501 |

Legend: DELINQ - Delinquency
CHINA - Child in need of assistance
FINA - Family in need of assistance
IC - Interstate compacts (extradition)
For definition of these terms, see section 232.2, The Code

CONTINUED

1 OF 2

TABLE 7

(b) NUMBER AND FORMAL HEARINGS IN JUVENILE MATTERS DURING 1981
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | ADJUD. | DISP. | REV. | D/S | OTHER | TOTAL |
|-------------------|--------|-------|-------|-------|-------|--------|
| 1 | 516 | 416 | 414 | 102 | 247 | 1,695 |
| 2 | 312 | 572 | 334 | 114 | 481 | 1,813 |
| 3 | 540 | 386 | 537 | 80 | 216 | 1,759 |
| 4 | 307 | 236 | 213 | 133 | 52 | 941 |
| 5 | 446 | 825 | 406 | 166 | 61 | 1,904 |
| 6 | 461 | 683 | 672 | 340 | 875 | 3,031 |
| 7 | 348 | 567 | 268 | 312 | 216 | 1,711 |
| 8 | 258 | 400 | 393 | 121 | 429 | 1,601 |
| 1981 Statewide | 3,188 | 4,085 | 3,237 | 1,368 | 2,577 | 14,455 |
| 1980 Statewide | 3,284 | 3,944 | 3,015 | 1,545 | 2,031 | 13,819 |

Legend: Adjudication hearing - Section 232.2(2), The Code
 Disp. - Disposition hearing - Section 232.2(16), The Code
 Rev. - Review hearing - Section 232.102(6), The Code
 D/S - Detention/Shelter hearing - Section 232.2(14)(46), The Code
 Other - Includes such proceedings as: hearings on motions for change of venue and placement, motions for evaluation, change of counsel, motions to continue or suppress evidence, and contempt of court and probation violation hearings.

TABLE 7

(c) NUMBER OF JUVENILE HEARINGS HELD BY TYPE OF JUDICIAL OFFICER
DURING 1981 WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | DISTRICT JUDGE | ASSOCIATE JUDGE | JUVENILE REFEREE | TOTAL |
|-------------------|-------------------|-----------------|---------------------|--------|
| 1 | 87 | 1,189 | 417 | 1,693 |
| 2 | 506 | 1,176 | 136 | 1,818 |
| 3 | 9 | - | 1,750 | 1,759 |
| 4 | 10 | 959 | - | 969 |
| 5 | 927 | 211 | 766 | 1,904 |
| 6 | 61 | 1,717 | 1,266 | 3,044 |
| 7 | 101 | 1,256 | 354 | 1,711 |
| 8 | 6 | 644 | 951 | 1,601 |
| 1981 Statewide | 1,707 | 7,152 | 5,640 | 14,499 |
| 1980 Statewide | 1,972 | 6,845 | 5,002 | 13,819 |

TABLE 8
 NUMBER OF PETITIONS FILED AND NUMBER AND TYPE OF FORMAL HEARINGS
 HELD IN CASES INVOLVING VOLUNTARY AND INVOLUNTARY
 TERMINATION OF PARENTAL RIGHTS, 1981

| DISTRICT | | NUMBER OF PETITIONS FILED | NUMBER AND TYPE OF FORMAL HEARINGS | | |
|-----------|-----|------------------------------|------------------------------------|------------|------------|
| | | | TRIAL DETERMINATION | REVIEW | TOTAL |
| 1 | V* | 98 | 65 | 4 | 69 |
| | I** | 23 | 15 | 6 | 21 |
| 2 | V | 110 | 86 | 6 | 92 |
| | I | 56 | 37 | 1 | 38 |
| 3 | V | 91 | 68 | 5 | 73 |
| | I | 41 | 51 | 3 | 54 |
| 4 | V | 18 | 12 | - | 12 |
| | I | 46 | 24 | 1 | 25 |
| 5 | V | 50 | 49 | - | 49 |
| | I | 165 | 173 | 3 | 176 |
| 6 | V | 56 | 91 | 53 | 144 |
| | I | 57 | 9 | 13 | 22 |
| 7 | V | 94 | 57 | 16 | 73 |
| | I | 25 | 15 | 2 | 17 |
| 8 | V | 51 | 39 | 5 | 44 |
| | I | 24 | 20 | 9 | 29 |
| 1981 | V | 568 | 467 | 89 | 556 |
| Statewide | I | 437 | 344 | 38 | 382 |
| | | <u>1,005</u> | <u>811</u> | <u>127</u> | <u>938</u> |

*V - Voluntary or uncontested termination proceeding
 **I - Involuntary or contested termination proceeding

TABLE 9

TABLE 9
 NUMBER AND TYPE OF HOSPITALIZATION HEARINGS DURING 1981
 WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | INVOLUNTARY MINOR | INVOLUNTARY ADULT | EMERGENCY | SUBSTANCE ABUSE | TOTAL |
|-------------------|----------------------|----------------------|-----------|--------------------|-------|
| 1 | 27 | 279 | 232 | 195 | 733 |
| 2 | 23 | 308 | 231 | 116 | 678 |
| 3 | 16 | 235 | 92 | 33 | 376 |
| 4 | 3 | 93 | 72 | 11 | 179 |
| 5 | 16 | 211 | 82 | 74 | 383 |
| 6 | 42 | 299 | 113 | 100 | 554 |
| 7 | 8 | 238 | 265 | 115 | 626 |
| 8 | 16 | 145 | 42 | 24 | 227 |
| 1981 Statewide | 151 | 1,808 | 1,129 | 668 | 3,756 |
| 1980 Statewide | 116 | 2,010 | 1,200 | 523 | 3,884 |

District judges handled five involuntary hospitalization of a minor hearings (sec. 229.2, The Code), 145 involuntary adult hearings (sec. 229.12), 168 emergency hearings and 44 substance abuse hearings. District associate judges held 18, 2, 310, and 38 hearings, respectively. Part-time magistrates conducted 326 emergency hospitalization hearings, Referees also held 128 involuntary minor, 1,001 involuntary adult, and 586 substance abuse hearings.

TABLE 10

COMPARISON OF TOTAL 1981 CASELOAD PER DISTRICT JUDGE WITH RANK OF DISTRICT
IN EACH CATEGORY SHOWN IN PARENTHESIS
(Adjusted to the nearest whole case or matter)

| DISTRICT | JUDGES | REGULAR CIVIL AND CRIMINAL CASES (Per Judge) <u>DISPOSED OF^a</u> | PROBATE MATTERS (Per Judge) <u>CLOSED^b</u> | JUVENILE MATTERS (Per Judge) <u>HEARINGS^c</u> |
|-------------------|--------|--|---|--|
| 1 | 12 | 766 (3) | 243 (5) | 7 (4) |
| 2 | 16 | 658 (8) | 258 (3) | 30 (2) |
| 3 | 10 | 749 (5) | 295 (1) | 1 (8) |
| 4 | 6 | 923 (1) | 251 (4) | 1 (5) |
| 5 | 20 | 886 (2) | 226 (6) | 46 (1) |
| 6 | 11 | 699 (6) | 148 (8) | 6 (5) |
| 7 | 10 | 752 (4) | 175 (7) | 10 (3) |
| 8 | 10 | 665 (7) | 280 (2) | 1 (7) |
| 1981 Statewide | 95 | 761 | 234 | 18 |
| 1980 Statewide | 92 | 764 | 237 | 21 |

- a. Computed from the sum of such cases disposed of by district court judges as shown by Tables 2(b) and 3(b).
- b. Includes trusteeships, guardianships, conservatorships, and estates closed in the district court.
- c. Includes various types of juvenile hearings in cases involving delinquency, child and/or family assistance, and interstate compacts.

TABLE 11
 TOTAL ACTIVITY^a OF ASSOCIATE JUDGES ON MATTERS
 OTHER THAN REGULAR CIVIL AND CRIMINAL CASES,
 TERMINATION OF PARENTAL RIGHTS AND JUVENILE CASES, 1981

| DISTRICT | JUDGES | DOCKETED OR ASSIGNED | DISPOSED OF | PENDING DECEMBER 31 |
|-------------------|--------|-------------------------|----------------|---------------------|
| 1 | 5 | 15,500 | 16,375 | 1,253 |
| 2 | 5 | 11,880 | 12,540 | 1,389 |
| 3 | 4 | 12,086 | 12,082 | 882 |
| 4 | 3 | 6,811 | 7,084 | 1,344 |
| 5 | 8 | 67,476 | 68,589 | 36,297 |
| 6 | 5 | 18,218 | 17,219 | 5,126 |
| 7 | 5 | 15,749 | 17,492 | 3,115 |
| 8 | 4 | 4,086 | 3,832 | 571 |
| 1981 Statewide | 39 | 151,806 | 155,213 | 49,977 |
| 1980 Statewide | 39 | 162,853 | 174,327 | 52,703 |

a. Includes nonindictable (simple) misdemeanors, small claims, initial appearances, preliminary hearings, search warrant applications and seized property and hospitalization hearings. Pending figures include misdemeanors and small claims only.

NOTE: For complete and detailed information on the various types of cases combined in this table, see Tables 12(a) through 12(d), 14(d), and 9(b).

TABLE 12

(a) INITIAL APPEARANCE PROCEEDINGS AND PRELIMINARY HEARINGS^a1981 ACTIVITY OF ASSOCIATE JUDGES
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | JUDGES | NUMBER OF INITIAL APPEARANCES ^a | PRELIMINARY HEARINGS ^b |
|-------------------|--------|---|-----------------------------------|
| 1 | 5 | 986 | - |
| 2 | 5 | 1,118 | 46 |
| 3 | 4 | 1,322 | 1 |
| 4 | 3 | - | - |
| 5 | 8 | 4,359 | 440 |
| 6 | 5 | 3,210 | 17 |
| 7 | 5 | 3,168 | 5 |
| 8 | 4 | 584 | - |
| 1981 Statewide | 39 | 14,747 | 509 |
| 1980 Statewide | 39 | 14,263 | 1,022 |

a. Refers to the initial court appearance of a person charged with a criminal offense above a simple misdemeanor. See rule 2(1), R. Cr. P.

b. Refers to a preliminary hearing held in a criminal case above a simple misdemeanor. See rule 2(4), R. Cr. P.

TABLE 12

(b) NONINDICTABLE - STATE CASES

1981 ACTIVITY OF ASSOCIATE JUDGES
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | JUDGES | PENDING JANUARY 1 | DOCKETED | TRIAL TO JURY | TRIAL TO COURT | DISPOSED OF BY | | PENDING DECEMBER 31 |
|-------------------|--------|----------------------|----------|------------------|-------------------|----------------|---|------------------------|
| | | | | | | GUILTY PLEA | WITHOUT TRIAL DISMISSED/ TRANSFERRED | |
| 1 | 5 | 964 | 3,903 | 9 | 132 | 2,556 | 1,331 | 839 |
| 2 | 5 | 466 | 3,751 | 19 | 238 | 2,690 | 974 | 296 |
| 3 | 4 | 570 | 5,229 | 11 | 315 | 3,528 | 1,418 | 527 |
| 4 | 3 | 1,585 | 4,561 | 7 | 177 | 3,225 | 1,535 | 1,202 |
| 5 | 8 | 3,259 | 21,429 | 21 | 861 | 11,597 | 8,661 | 3,548 |
| 6 | 5 | 1,735 | 6,220 | 10 | 425 | 4,135 | 1,504 | 1,881 |
| 7 | 5 | 3,371 | 6,707 | 9 | 234 | 4,666 | 3,481 | 1,688 |
| 8 | 4 | 178 | 1,351 | - | 48 | 830 | 334 | 317 |
| 1981 Statewide | 39 | 12,128 | 53,151 | 86 | 2,430 | 33,227 | 19,238 | 10,298 |
| 1980 Statewide | 39 | 15,200 | 61,717 | 136 | 2,964 | 44,609 | 17,080 | 12,128 |

TABLE 12

(c) NONINDICTABLE - ORDINANCE CASES1981 ACTIVITY OF ASSOCIATE JUDGES
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | JUDGES | PENDING JANUARY 1 | DOCKETED | TRIAL TO JURY | TRIAL TO COURT | DISPOSED OF BY | | PENDING DECEMBER 31 |
|-------------------|--------|----------------------|----------|------------------|-------------------|------------------------------------|---------------------------|------------------------|
| | | | | | | WITHOUT TRIAL GUILTY PLEA | DISMISSED/ TRANSFERRED | |
| 1 | 5 | 526 | 8,291 | 4 | 226 | 5,505 | 2,716 | 366 |
| 2 | 5 | 1,246 | 5,338 | 7 | 205 | 4,583 | 996 | 793 |
| 3 | 4 | 290 | 4,972 | - | 213 | 3,197 | 1,520 | 332 |
| 4 | 3 | 14 | 1,048 | 1 | 55 | 694 | 220 | 92 |
| 5 | 8 | 34,147 | 32,933 | 4 | 1,211 | 18,558 | 14,559 | 32,748 |
| 6 | 5 | 2,276 | 6,611 | 2 | 377 | 4,333 | 1,073 | 3,102 |
| 7 | 5 | 1,328 | 4,516 | 3 | 262 | 3,043 | 1,354 | 1,182 |
| 8 | 4 | 139 | 1,520 | 1 | 69 | 999 | 337 | 253 |
| 1981 Statewide | 39 | 39,966 ^a | 65,229 | 22 | 2,618 | 40,912 | 22,775 | 38,868 |
| 1980 Statewide | 39 | 48,368 | 68,865 | 45 | 2,654 | 45,272 | 29,369 | 39,893 |

a. This figure differs from that of December 31, 1980 due to inventory corrections.

TABLE 12

(d) SMALL CLAIMS1981 ACTIVITY OF ASSOCIATE JUDGES
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | JUDGES | PENDING JANUARY 1 | ASSIGNED BY CLERK | DISPOSED OF BY | | | PENDING DECEMBER 31 |
|-------------------|--------|----------------------|-------------------------|-------------------|------------------|---------------------------|------------------------|
| | | | | TRIAL TO COURT | WITHOUT TRIAL | DISMISSED/ TRANSFERRED | |
| 1 | 5 | 202 | 2,266 | 706 | 982 | 732 | 48 |
| 2 | 5 | 337 | 1,390 | 551 | 837 | 3 | 300 |
| 3 | 4 | 18 | 516 | 185 | 288 | 38 | 23 |
| 4 | 3 | 18 | 1,141 | 548 | 515 | 46 | 50 |
| 5 | 8 | 4 | 8,103 | 1,896 | 5,779 | 431 | 1 |
| 6 | 5 | 116 | 1,887 | 1,259 | 303 | 298 | 143 |
| 7 | 5 | 157 | 1,132 | 198 | 452 | 394 | 245 |
| 8 | 4 | - | 540 | 136 | 381 | 22 | 1 |
| 1981 Statewide | 39 | 852 ^a | 16,975 | 5,479 | 9,573 | 1,964 | 811 |
| 1980 Statewide | 39 | 609 | 15,295 | 5,218 | 7,919 | 2,085 | 682 |

a. This figure differs from that of December 31, 1980 due to inventory corrections.

TABLE 13

TOTAL ACTIVITY OF JUDICIAL MAGISTRATES
DURING 1981 WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | MAGISTRATES ACTUAL ^a | (AUTHORIZED) | PENDING JANUARY 1 | DOCKETED OR ASSIGNED ^b | DISPOSED | PENDING DECEMBER 31 |
|-------------------|------------------------------------|--------------|----------------------|---|----------|------------------------|
| 1 | 23 | (23) | 5,938 | 41,490 | 42,921 | 4,507 |
| 2 | 34 | (37) | 2,815 | 36,484 | 36,625 | 2,674 |
| 3 | 26 | (31) | 1,289 | 19,250 | 18,955 | 1,584 |
| 4 | 16 | (19) | 1,818 | 14,168 | 14,816 | 1,170 |
| 5 | 19 | (27) | 2,893 | 21,082 | 21,362 | 2,613 |
| 6 | 14 | (17) | 798 | 17,828 | 17,449 | 1,177 |
| 7 | 13 | (13) | 1,391 | 12,376 | 12,342 | 1,425 |
| 8 | 21 | (24) | 1,224 | 18,877 | 18,632 | 1,469 |
| 1981 Statewide | 166 | (191) | 18,166 | 181,555 | 183,102 | 16,619 |
| 1980 Statewide | 166 | (191) | 14,809 | 191,707 | 189,651 | 16,865 |

a. The 1981 figures indicate the actual number of judicial magistrates serving in each district; figures in parenthesis show the number of magistrates positions authorized. See footnote a., Table 2(a) for counties using substitute district associate judges and Appendix E for the July 1, 1981 allocation of magistrates. The 1981 activity of substitute district associate judges is included in the workload of regular district associate judges as illustrated in Table 11, rather than the business of magistrates presented in this Table.

b. For purposes of this Table, all search warrant applications, seized property hearings, lost property actions, preliminary hearings, initial appearances, and emergency hospitalization hearings, docketed in 1981 were considered disposed of by the end of the year. Pending figures refer only to small claims and simple misdemeanors (nonindictable state and ordinance cases).

TABLE 14

(a) INITIAL APPEARANCE PROCEEDINGS AND PRELIMINARY HEARINGS

1981 ACTIVITY OF JUDICIAL MAGISTRATES
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | NUMBER OF INITIAL APPEARANCES ^a | PRELIMINARY HEARINGS ^b |
|-------------------|---|-----------------------------------|
| 1 | 1,563 | 80 |
| 2 | 2,803 | 325 |
| 3 | 1,785 | 161 |
| 4 | 850 | 91 |
| 5 | 1,898 | 134 |
| 6 | 1,726 | 342 |
| 7 | 357 | 42 |
| 8 | 2,254 | 170 |
| 1981 Statewide | 13,236 | 1,345 |
| 1980 Statewide | 12,515 | 1,332 |

- a. Refers to the initial court appearance of a person charged with a criminal offense above a simple misdemeanor. See rule 2(1), R. Cr. P.
b. Refers to a preliminary hearing held in a criminal case above a simple misdemeanor. See rule 2(4), R. Cr. P.

TABLE 14

(b) NONINDICTABLE - STATE CASES1981 ACTIVITY OF JUDICIAL MAGISTRATES
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | PENDING JANUARY 1 | DOCKETED | TRIAL TO JURY | TRIAL TO COURT | DISPOSED OF BY | | PENDING DECEMBER 31 |
|-------------------|----------------------|----------|------------------|-------------------|------------------------------------|---------------------------|------------------------|
| | | | | | WITHOUT TRIAL GUILTY PLEA | DISMISSED/ TRANSFERRED | |
| 1 | 1,553 | 14,073 | 25 | 1,114 | 9,893 | 3,099 | 1,495 |
| 2 | 1,413 | 18,524 | 35 | 2,227 | 12,917 | 3,437 | 1,321 |
| 3 | 970 | 10,680 | 10 | 996 | 7,233 | 2,091 | 1,320 |
| 4 | 671 | 8,365 | 7 | 601 | 5,777 | 2,077 | 574 |
| 5 | 2,262 | 13,364 | 20 | 1,372 | 8,893 | 3,185 | 2,156 |
| 6 | 430 | 8,409 | 20 | 1,068 | 5,219 | 1,736 | 796 |
| 7 | 653 | 4,623 | 9 | 375 | 3,624 | 657 | 611 |
| 8 | 832 | 9,218 | 20 | 719 | 6,601 | 1,691 | 1,019 |
| 1981 Statewide | 8,784 ^a | 87,256 | 146 | 8,472 | 60,157 | 17,973 | 9,292 |
| 1980 Statewide | 7,374 | 96,298 | 224 | 8,675 | 68,339 | 17,915 | 8,519 |

a. This figure differs from that of December 31, 1980 due to inventory corrections.

TABLE 14

(c) NONINDICTABLE - ORDINANCE CASES1981 ACTIVITY OF JUDICIAL MAGISTRATES
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | PENDING JANUARY 1 | DOCKETED | TRIAL TO JURY | TRIAL TO COURT | DISPOSED OF BY | | PENDING DECEMBER 31 |
|-------------------|----------------------|----------|------------------|-------------------|----------------|---|------------------------|
| | | | | | GUILTY PLEA | WITHOUT TRIAL DISMISSED/ TRANSFERRED | |
| 1 | 4,355 | 24,550 | 5 | 1,053 | 17,234 | 7,638 | 2,975 |
| 2 | 304 | 7,395 | 4 | 693 | 6,021 | 711 | 270 |
| 3 | 206 | 4,844 | 4 | 506 | 3,695 | 658 | 187 |
| 4 | 1,119 | 4,162 | 2 | 357 | 3,269 | 1,077 | 576 |
| 5 | 560 | 4,881 | - | 685 | 2,594 | 1,740 | 422 |
| 6 | 239 | 5,640 | 6 | 653 | 4,349 | 647 | 224 |
| 7 | 641 | 5,004 | 6 | 380 | 4,051 | 628 | 580 |
| 8 | 317 | 5,324 | 9 | 440 | 3,868 | 934 | 390 |
| 1981 Statewide | 7,741 ^a | 61,800 | 36 | 4,767 | 45,031 | 14,033 | 5,624 |
| 1980 Statewide | 6,409 | 65,157 | 60 | 4,901 | 47,406 | 11,604 | 7,595 |

a. This figure differs from that of December 31, 1980 due to inventory corrections.

TABLE 14

(d) SEARCH WARRANT APPLICATIONS AND SEIZED PROPERTY HEARINGS
DURING 1981 BY TYPE OF JUDICIAL OFFICER WITH TOTALS
COMPARED TO THOSE OF 1980

| DISTRICT | SEARCH WARRANT APPLICATIONS | | | | SEIZED PROPERTY HEARINGS | | | |
|-------------------|-----------------------------|-----|-----|-------|--------------------------|-----|-----|-------|
| | DJ | DAJ | JM | TOTAL | DJ | DAJ | JM | TOTAL |
| 1 | 29 | 52 | 76 | 157 | - | 393 | 229 | 622 |
| 2 | 4 | 127 | 188 | 319 | - | 21 | 56 | 77 |
| 3 | 3 | 37 | 146 | 186 | - | - | 224 | 224 |
| 4 | - | 24 | 83 | 107 | - | 22 | 40 | 62 |
| 5 | 61 | 179 | 86 | 326 | - | 4 | 20 | 24 |
| 6 | 6 | 50 | 36 | 92 | - | 211 | 16 | 227 |
| 7 | 8 | 54 | 11 | 73 | - | 2 | 11 | 13 |
| 8 | 7 | 29 | 187 | 223 | - | 60 | 48 | 108 |
| 1981 Statewide | 118 | 552 | 813 | 1,483 | - | 713 | 644 | 1,357 |
| 1980 Statewide | 118 | 564 | 929 | 1,611 | 20 | 694 | 559 | 1,273 |

Legend: DJ - District court judges
 DAJ - District associate judges (including substitutes and alternates)
 JM - Judicial magistrates

*There were also twelve lost property actions - one in the First, Third and Fourth, two in the Eighth, three in the Sixth, and four in the Fifth Judicial District - under Chapter 644, The Code, handled by magistrates during 1981.

TABLE 14

(e) SMALL CLAIMS1981 ACTIVITY OF JUDICIAL MAGISTRATES
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | PENDING JANUARY 1 | ASSIGNED BY CLERK | DISPOSED OF BY | | | PENDING DECEMBER 31 |
|-------------------|----------------------|-------------------------|-------------------|-----------------------------|---------------------------|------------------------|
| | | | TRIAL TO COURT | WITHOUT TRIAL DEFAULT | DISMISSED/ TRANSFERRED | |
| 1 | 30 | 919 | 566 | 223 | 123 | 37 |
| 2 | 1,098 | 7,193 | 2,220 | 4,771 | 217 | 1,083 |
| 3 | 113 | 1,410 | 756 | 466 | 224 | 77 |
| 4 | 28 | 577 | 382 | 177 | 26 | 20 |
| 5 | 71 | 699 | 474 | 175 | 86 | 35 |
| 6 | 129 | 1,659 | 522 | 786 | 323 | 157 |
| 7 | 97 | 2,328 | 1,421 | 456 | 314 | 234 |
| 8 | 75 | 1,676 | 890 | 659 | 142 | 60 |
| 1981 Statewide | 1,641 ^a | 16,461 | 7,231 | 7,713 | 1,455 | 1,703 |
| 1980 Statewide | 1,026 | 14,584 | 6,838 | 5,518 | 2,503 | 751 |

a. This figure differs from that of December 31, 1980 due to inventory corrections.

TABLE 15

SMALL CLAIMS DOCKET MAINTAINED BY THE CLERK DURING 1981
WITH TOTALS COMPARED TO THOSE OF 1980

| DISTRICT | PENDING JANUARY 1 | DOCKETED | DISPOSED OF BY | | PENDING DECEMBER 31 |
|-------------------|----------------------|----------|----------------|-----------------------------------|------------------------|
| | | | CLERK | JUDICIAL OFFICERS ^a | |
| 1 | 2,084 | 10,121 | 7,102 | 3,363 | 1,740 |
| 2 | 1,870 | 11,358 | 8,325 | 3,044 | 1,859 |
| 3 | 1,290 | 8,178 | 6,418 | 1,913 | 1,137 |
| 4 | 610 | 3,893 | 2,327 | 1,682 | 494 |
| 5 | 3,765 | 18,471 | 9,204 | 8,435 | 4,597 |
| 6 | 1,112 | 7,972 | 4,847 | 2,970 | 1,267 |
| 7 | 843 | 7,640 | 4,897 | 2,476 | 1,110 |
| 8 | 1,297 | 7,626 | 5,463 | 2,229 | 1,231 |
| 1981 Statewide | 12,871 | 75,259 | 48,583 | 26,112 | 13,435 |
| 1980 Statewide | 12,587 | 82,208 | 51,750 | 30,081 | 12,964 |

a. Includes small claims dispositions by magistrates and judges.

TABLE 16

NUMBER OF SCHEDULED VIOLATIONS^a
 Handled Exclusively by the District
 Court Clerks (per county)

| County | Number | | County | Number | |
|-------------|--------|--------|---------------|---------|---------|
| | 1981 | 1980 | | 1981 | 1980 |
| Adair | 1,277 | 1,268 | Hamilton | 6,416 | 7,367 |
| Adams | 850 | 609 | Hancock | 1,183 | 1,329 |
| Allamakee | 1,443 | 1,353 | Hardin | 3,223 | 2,487 |
| Appanoose | 1,678 | 1,593 | Harrison | 2,969 | 5,239 |
| Audubon | 1,593 | 925 | Henry | 2,852 | 3,495 |
| Benton | 3,901 | 4,731 | Howard | 691 | 908 |
| Black Hawk | 16,224 | 17,408 | Humboldt | 774 | 847 |
| Boone | 3,008 | 2,989 | Ida | 1,123 | 1,459 |
| Bremer | 3,029 | 4,128 | Iowa | 3,556 | 4,679 |
| Buchanan | 4,881 | 5,552 | Jackson | 2,560 | 2,244 |
| Buena Vista | 2,781 | 2,901 | Jasper | 6,204 | 6,150 |
| Butler | 2,305 | 2,297 | Jefferson | 1,758 | 2,419 |
| Calhoun | 950 | 887 | Johnson | 11,806 | 14,263 |
| Carroll | 4,323 | 4,836 | Jones | 1,718 | 1,589 |
| Cass | 2,769 | 2,303 | Keokuk | 483 | 516 |
| Cedar | 15,922 | 15,494 | Kossuth | 1,517 | 1,727 |
| Cerro Gordo | 8,353 | 9,476 | Lee | 5,068 | 4,789 |
| Cherokee | 1,464 | 2,075 | Linn | 18,353 | 19,483 |
| Chickasaw | 2,662 | 2,348 | Louisa | 1,435 | 1,469 |
| Clarke | 6,054 | 7,816 | Lucas | 1,288 | 1,268 |
| Clay | 2,939 | 3,422 | Lyon | 797 | 725 |
| Clayton | 2,703 | 3,267 | Madison | 958 | 1,099 |
| Clinton | 4,677 | 6,933 | Mahaska | 2,582 | 2,554 |
| Crawford | 2,300 | 2,171 | Marion | 3,199 | 2,988 |
| Dallas | 6,034 | 4,826 | Marshall | 5,006 | 4,932 |
| Davis | 1,000 | 1,102 | Mills | 2,083 | 1,959 |
| Decatur | 2,476 | 3,303 | Mitchell | 1,064 | 1,155 |
| Delaware | 3,410 | 3,978 | Monona | 2,087 | 2,379 |
| Des Moines | 3,289 | 4,003 | Monroe | 1,324 | 1,313 |
| Dickinson | 2,497 | 2,553 | Montgomery | 1,527 | 1,541 |
| Dubuque | 6,396 | 5,144 | Muscatine | 3,717 | 3,407 |
| Emmet | 1,030 | 1,263 | O'Brien | 2,110 | 2,477 |
| Fayette | 5,170 | 5,023 | Osceola | 886 | 890 |
| Floyd | 2,147 | 2,925 | Page | 1,373 | 960 |
| Franklin | 3,899 | 4,282 | Palo Alto | 1,829 | 1,885 |
| Fremont | 1,667 | 1,941 | Plymouth | 3,197 | 3,699 |
| Greene | 1,092 | 767 | Pocahontas | 610 | 693 |
| Grundy | 1,223 | 1,540 | Polk | 109,712 | 104,979 |
| Guthrie | 477 | 579 | Pottawattamie | 22,693 | 26,891 |

TABLE 16 (Cont'd)

| County | Number | | County | Number | |
|-----------|--------|--------|------------|---------|---------|
| | 1981 | 1980 | | 1981 | 1980 |
| Poweshiek | 3,001 | 4,523 | Wapello | 3,564 | 4,676 |
| Ringgold | 317 | 108 | Warren | 4,150 | 5,358 |
| Sac | 1,680 | 1,847 | Washington | 1,866 | 2,162 |
| Scott | 24,277 | 20,906 | Wayne | 1,235 | 1,154 |
| Shelby | 1,267 | 1,425 | Webster | 2,658 | 2,490 |
| Sioux | 2,418 | 2,365 | Winnebago | 537 | 628 |
| Story | 8,599 | 10,002 | Winneshiek | 1,777 | 1,986 |
| Tama | 2,778 | 2,738 | Woodbury | 19,181 | 16,390 |
| Taylor | 406 | 376 | Worth | 5,911 | 7,845 |
| Union | 2,075 | 1,664 | Wright | 760 | 698 |
| Van Buren | 472 | 553 | | | |
| | | | TOTAL | 470,553 | 490,158 |

a. Scheduled violations are defined in section 805.8, The Code.

APPENDIX A
NUMBER AND AGE OF CIVIL CASES^a
PENDING DECEMBER 31, 1981

| DISTRICT | TOTAL NUMBER PENDING | NUMBER OF CASES PENDING (IN PERCENT) | | |
|-------------------|-------------------------|--------------------------------------|--------------|-------------------|
| | | 90 DAYS OR LESS | 3-18 MONTHS | OVER 18 MONTHS |
| 1 | 6,861 | 1,871 (27%) | 3,353 (49%) | 1,637 (24%) |
| 2 | 8,129 | 1,811 (22%) | 4,302 (53%) | 2,016 (25%) |
| 3 | 5,832 | 1,091 (19%) | 3,171 (54%) | 1,570 (27%) |
| 4 | 3,325 | 778 (23%) | 1,823 (55%) | 724 (22%) |
| 5 | 11,496 | 2,563 (22%) | 6,543 (57%) | 2,390 (21%) |
| 6 | 5,417 | 1,153 (21%) | 3,284 (61%) | 980 (18%) |
| 7 | 6,161 | 1,099 (18%) | 3,185 (52%) | 1,877 (30%) |
| 8 | 5,428 | 1,152 (21%) | 2,909 (54%) | 1,367 (25%) |
| 1981 Statewide | 52,649 ^b | 11,518 (22%) | 28,570 (54%) | 12,561 (24%) |
| 1980 Statewide | 51,516 | 12,921 (26%) | 28,586 (55%) | 10,009 (19%) |

a. Includes civil cases above a small claim and small claims on appeal.

b. This figure differs from that of December 31, 1980 due to inventory corrections.

APPENDIX B

NUMBER AND AGE OF CRIMINAL CASES^a
PENDING DECEMBER 31, 1981

| DISTRICT | TOTAL NUMBER PENDING | NUMBER OF CASES PENDING (IN PERCENT) | | |
|-------------------|-------------------------|--------------------------------------|-------------|-------------------|
| | | 90 DAYS OR LESS | 3-18 MONTHS | OVER 18 MONTHS |
| 1 | 1,953 | 874 (45%) | 651 (33%) | 428 (22%) |
| 2 | 2,498 | 1,028 (41%) | 1,064 (43%) | 406 (16%) |
| 3 | 2,287 | 643 (28%) | 848 (37%) | 796 (35%) |
| 4 | 568 | 331 (58%) | 154 (27%) | 83 (15%) |
| 5 | 3,057 | 1,232 (40%) | 1,106 (36%) | 719 (24%) |
| 6 | 3,302 | 1,323 (40%) | 1,225 (37%) | 754 (23%) |
| 7 | 2,465 | 879 (36%) | 1,115 (45%) | 471 (19%) |
| 8 | 1,601 | 633 (40%) | 708 (44%) | 260 (16%) |
| 1981 Statewide | 17,731 | 6,943 (39%) | 6,871 (39%) | 3,917 (22%) |
| 1980 Statewide | 15,032 | 7,155 (47%) | 5,352 (36%) | 2,525 (17%) |

a. Includes criminal cases above a simple misdemeanor and simple misdemeanors on appeal.

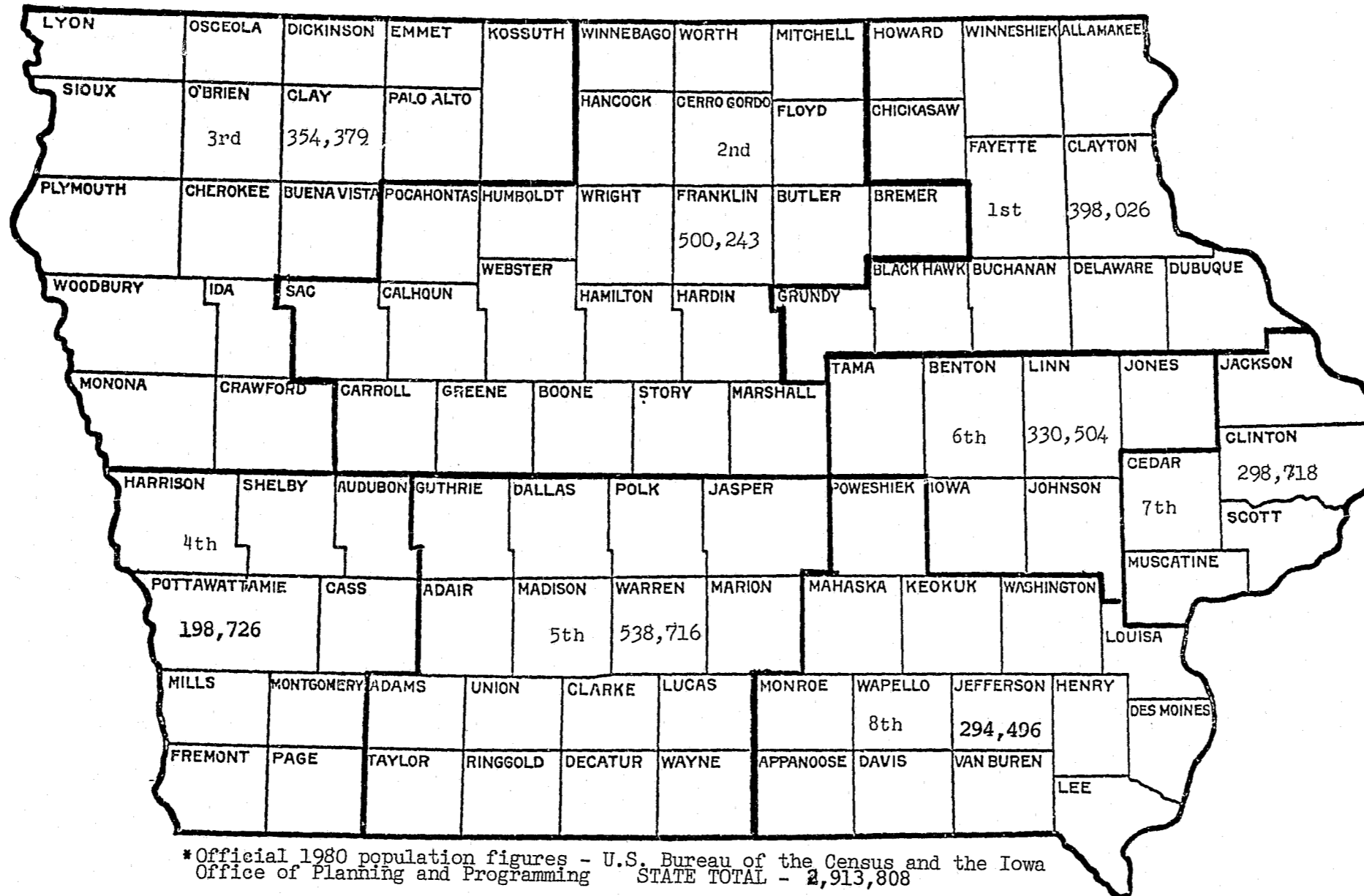
APPENDIX C

POPULATION PER DISTRICT COURT JUDGE

| DISTRICT | JUDGES | DISTRICT POPULATION ^a | POPULATION PER JUDGE |
|-----------|--------|-------------------------------------|-------------------------|
| 1 | 12 | 398,026 | 33,169 |
| 2 | 16 | 500,243 | 31,265 |
| 3 | 10 | 354,379 | 35,438 |
| 4 | 6 | 198,726 | 33,110 |
| 5 | 20 | 538,716 | 26,935 |
| 6 | 11 | 330,504 | 30,045 |
| 7 | 10 | 298,718 | 29,872 |
| 8 | 10 | 294,496 | 29,450 |
| Statewide | 95 | 2,913,308 | 30,671 |

a. Official 1980 population statistics - U.S. Bureau of the Census and the Iowa Office of Planning and Programming.

IOWA'S 8 JUDICIAL DISTRICTS - Population*



*Official 1980 population figures - U.S. Bureau of the Census and the Iowa Office of Planning and Programming STATE TOTAL - 2,913,808

ALLOCATION OF PART-TIME JUDICIAL MAGISTRATES JULY 1, 1979 and July 1, 1981

| | | | | | | | | | | | | |
|--------------------|-----------------|-----------------|-----------------|--------------------|----------------|------------------|--------------------|--------------------|-----------------|----------------|--|---------------------|
| LYON 1 | OSCEOLA 1 | DICKINSON 3 | EMMET 2 | KOSSUTH 2 | WINNEBAGO 1 | WORTH 1 | MITCHELL 1 | HOWARD 1 | WINNESHIEK 2 | ALLAMAKEE 1 | 36 one mag. counties 49 two mag. counties 7 three mag. counties 1 four mag. counties 5 five mag. counties 1 seven mag. counties | |
| SIoux 2 | O'BRIEN 1 | CLAY 2 | PALO ALTO 1 | | HANCOCK 1 | CERRO GORDO 3 | FLOYD 2 | CHICKASAW 2 | FAYETTE 2 | CLAYTON 2 | | |
| PLYMOUTH 2 | CHEROKEE 2 | BUENAVISTA 2 | POCAHONTAS 1 | HUMBOLDT 1 | WRIGHT 2 | FRANKLIN 1 | BUTLER 2 | BREMER 2 | 1st 2 | | | |
| WOODBURY 5 | IDA 1* | SAC 2 | CALHOUN 1 | WEBSTER 3 | HAMILTON 2 | HARDIN 2 | GRUNDY 2 | BLACK HAWK 5 | BUCHANAN 2 | DELAWARE 2 | | DUBUQUE 2 |
| MONONA 2 | CRAWFORD 2 | CARROLL 2 | GREENE 1 | BOONE 2 | STORY 3 | MARSHALL 1 | TAMA 2 | BENTON 6th 2 | LINN 5 | JONES 2 | | JACKSON 2 |
| HARRISON 2 | SHELBY 1 | AUDUBON 1 | GUTHRIE 1* | DALLAS 2 | POLK 7 | JASPER 1 | POWESHIEK 2 | IOWA 2 | JOHNSON 4 | CEGAR 2 | | CLINTON 7th 2 |
| POTTAWATTAMIE 5 | CASS 2 | ADAIR 1 | MADISON 1 | WARREN 5th 3 | MARION 2 | MAHASKA 2 | KEOKUK 8th 1 | WASHINGTON 2 | | MUSCATINE 2 | | SCOTT 5 |
| MILLS 2 | MONTGOMERY 2 | ADAMS 1 | UNION 1 | CLARKE 2 | LUCAS 1 | MONROE 1 | WAPELLO 2 | JEFFERSON 2 | HENRY 2 | LOUISA 1 | | DES MOINES 3 |
| FREMONT 1 | PAGE 2 | TAYLOR 1 | RINGGOLD 1 | DECATUR 1 | WAYNE 1 | APPANOOSE 2 | DAVIS 1 | VAN BUREN 1 | LEE 3 | | | |

*Counties taking the option of appointing one additional part-time magistrate as provided in Section 602.58.

APPENDIX F

FILINGS IN THE IOWA DISTRICT COURT - 1956-1981

| YEAR | #DISTRICT JUDGES | CIVIL ^a | CRIMINAL ^b | TOTAL (PER JUDGE) | JUVENILE ^c | PROBATE ^d OPENED |
|------|------------------|--------------------|-----------------------|-------------------|-----------------------|-----------------------------|
| 1981 | 95* | 58,225 | 36,932 | 95,157 (1,002) | 5,570 | 24,192 |
| 1980 | 92 | 58,442 | 35,669 | 94,111 (1,023) | 5,501 | 23,452 |
| 1979 | 92 | 51,031 | 31,026 | 82,057 (892) | 5,227 | 23,479 |
| 1978 | 92 | 46,498 | 27,942 | 74,440 (809) | 6,179 | 24,218 |
| 1977 | 92 | 43,324 | 28,795 | 72,119 (784) | 6,000 | 23,202 |
| 1976 | 89 | 40,103 | 26,009 | 66,112 (742) | 5,744 | 22,896 |
| 1975 | 84 | 37,963 | 23,600 | 61,563 (733) | 5,685 | 22,640 |
| 1974 | 83 | 36,216 | 20,653 | 56,869 (685) | 5,446 | 22,646 |
| 1973 | 83 | 38,057 | 16,148 | 54,205 (653) | 3,730 | 22,803 |
| 1972 | 76 | 40,483 | 10,699 | 51,182 (673) | 2,567 | 21,953 |
| 1971 | 76 | 40,315 | 11,300 | 51,615 (679) | 3,249 | 21,317 |
| 1970 | 76 | 37,965 | 10,140 | 48,105 (633) | 3,224 | 20,470 |
| 1969 | 76 | 35,574 | 9,505 | 45,079 (593) | 2,876 | 20,158 |
| 1968 | 75 | 33,617 | 8,367 | 41,984 (560) | 2,626 | 19,520 |
| 1967 | 76 | 31,646 | 7,496 | 39,142 (515) | 2,367 | 19,310 |
| 1966 | 75 | 30,310 | 7,159 | 37,469 (500) | 2,146 | 19,515 |
| 1965 | 75 | 29,207 | 7,432 | 36,639 (489) | 2,163 | 19,463 |
| 1964 | 75 | 28,405 | 7,004 | 35,409 (472) | 2,341 | 19,034 |
| 1963 | 75 | 28,138 | 6,641 | 34,779 (464) | 2,096 | 18,532 |
| 1962 | 75 | 28,528 | 7,113 | 35,641 (475) | 2,035 | 17,831 |
| 1961 | 75 | 28,288 | 7,209 | 35,497 (473) | 1,880 | 17,346 |
| 1960 | 73 | 26,767 | 7,260 | 34,027 (466) | 2,012 | 17,248 |
| 1959 | 73 | 25,136 | 7,086 | 32,222 (441) | 2,005 | 17,117 |
| 1958 | 72 | 23,661 | 6,724 | 30,385 (422) | 1,937 | 16,694 |
| 1957 | 72 | 23,579 | 6,486 | 30,065 (418) | 1,921 | 16,945 |
| 1956 | 70 | 22,922 | 6,178 | 29,100 (416) | 1,607 | 16,137 |

* Pursuant to chapter 189, section 1, Acts of the 69th G.A., 1981 Session, effective October 1, 1981, the number of district judges was increased from 92 to 95.

a. Includes civil cases over \$1,000 and small claims on appeal.

b. Includes indictable criminal cases (serious and aggravated misdemeanors and felonies) and simple misdemeanor appeals.

c. Includes petitions filed in ordinary juvenile matters, e.g., delinquency, child and family in need of assistance, and interstate compacts (extradition) matters; does not encompass cases involving termination of parental rights.

d. Includes the number of estates, trusteeships, guardianships, and conservatorships opened.

APPENDIX G

OTHER FILINGS IN THE IOWA DISTRICT COURT

| YEAR | SIMPLE MISDEMEANORS | SCHEDULED VIOLATIONS | SMALL CLAIMS |
|-------|---------------------|----------------------|--------------|
| 1981 | 267,436 | 470,553 | 75,259 |
| 1980 | 292,037 | 490,158 | 82,208 |
| 1979 | 291,404 | 462,224 | 78,141 |
| 1978 | 319,481 | 476,955 | 72,054 |
| 1977 | 410,862 | 310,710 | 65,434 |
| 1976 | 410,696 | 285,086 | 62,416 |
| 1975 | 375,707 | 223,622 | 63,582 |
| 1974* | 286,504 | 198,147 | 68,021 |

*This was the first full year under the new unified court system which became effective July 1, 1973.

APPENDIX H

CIVIL/CRIMINAL DISPOSITIONS BY DISTRICT COURT JUDGES^a -
1956-1981

| YEAR | #DISTRICT JUDGES | CIVIL ^b | CRIMINAL ^c | TOTAL | (PER JUDGE) |
|------|---------------------|--------------------|-----------------------|--------|-------------|
| 1981 | 95* | 54,485 | 17,833 | 72,318 | (761) |
| 1980 | 92 | 52,799 | 17,448 | 70,247 | (764) |
| 1979 | 92 | 47,754 | 15,098 | 62,852 | (683) |
| 1978 | 92 | 41,898 | 14,561 | 56,459 | (614) |
| 1977 | 92 | 38,682 | 17,200 | 55,882 | (607) |
| 1976 | 89 | 37,319 | 17,750 | 55,069 | (619) |
| 1975 | 84 | 35,737 | 14,874 | 50,611 | (603) |
| 1974 | 83 | 35,007 | 14,268 | 49,275 | (594) |
| 1973 | 83 | 38,381 | 12,384 | 50,765 | (612) |
| 1972 | 76 | 40,553 | 11,147 | 51,700 | (680) |
| 1971 | 76 | 38,455 | 10,659 | 49,114 | (646) |
| 1970 | 76 | 35,636 | 9,304 | 44,940 | (591) |
| 1969 | 76 | 32,642 | 8,676 | 41,318 | (544) |
| 1968 | 75 | 29,541 | 8,035 | 37,576 | (501) |
| 1967 | 76 | 29,343 | 7,267 | 36,610 | (482) |
| 1966 | 75 | 30,140 | 6,916 | 37,056 | (494) |
| 1965 | 75 | 30,280 | 6,654 | 36,934 | (492) |
| 1964 | 75 | 28,258 | 6,757 | 35,015 | (467) |
| 1963 | 75 | 29,342 | 6,551 | 35,893 | (479) |
| 1962 | 75 | 28,941 | 7,165 | 36,106 | (481) |
| 1961 | 75 | 30,616 | 7,556 | 38,172 | (509) |
| 1960 | 73 | 24,094 | 7,196 | 31,290 | (429) |
| 1959 | 73 | 23,988 | 6,949 | 30,937 | (424) |
| 1958 | 72 | 23,304 | 6,533 | 29,837 | (414) |
| 1957 | 72 | 23,302 | 6,932 | 30,234 | (420) |
| 1956 | 70 | 21,741 | 5,836 | 27,577 | (394) |

* See footnote on Appendix F

a. Does not include civil and criminal cases disposed of by judges of limited jurisdiction.

b. Includes civil cases over \$1,000 and small claims cases appealed to the district court.

c. Includes indictable criminal cases (serious and aggravated misdemeanors and felonies) and simple misdemeanor appeals.

END