

FEB 8 2002

JUDICIARY

HOUSE FILE 2270

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BODDICKER, and WILDERDYKE

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act to maintain a clerk of the district court in each county.
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2270

1 Section 1. Section 602.1205, Code 2001, is amended by
2 adding the following new subsection:

3 NEW SUBSECTION. 3. A clerk of the district court shall be
4 maintained in each county at the county seat.

5 Sec. 2. Section 602.1215, subsection 1, Code 2001, is
6 amended to read as follows:

7 1. The district judges of each judicial election district
8 shall by majority vote appoint persons to serve as clerks of
9 the district court, one for each county within the judicial
10 election district as required by section 602.1205, subsection
11 3. A person does not qualify for appointment to the office of
12 clerk of the district court unless the person is at the time
13 of application a resident of the state. Within three months
14 of appointment the clerk of the district court must establish
15 residence and physically reside in the county. A clerk of the
16 district court may be removed from office for cause by a
17 majority vote of the district judges of the judicial election
18 district. Before removal, the clerk of the district court
19 shall be notified of the cause for removal.

20 Sec. 3. Section 602.6108, Code 2001, is amended to read as
21 follows:

22 602.6108 REASSIGNMENT OF PERSONNEL.

23 The chief justice of the supreme court shall assign
24 judicial officers and court employees from one judicial
25 district to another, except for the clerk of the district
26 court, on a continuing basis if need be, in order to handle
27 the judicial business in all districts promptly and
28 efficiently at all times.

29 Sec. 4. Section 602.8102, subsection 1, Code Supplement
30 2001, is amended to read as follows:

31 1. Keep the office of the clerk at the county seat as
32 required by section 602.1205, subsection 3.

33 EXPLANATION

34 This bill requires the judicial branch to maintain a clerk
35 of the district court in each county.