

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN RE: PRO HAC VICE
ADMISSION FOR CRIMINAL
JUSTICE ACT PANEL
ATTORNEYS**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 22-AO-0005-P

The district's Amended and Substituted Criminal Justice Act Plan (CJA Plan) sets forth objectives, particularizes requirements, and exhaustively details the composition, administration, and management of the panels of private attorneys. Regarding the composition of the district's panels, the CJA Plan, among other things, addresses: the application, selection, and approval processes for attorneys; the need for the panels to provide a sufficient number of experienced attorneys to handle the CJA caseload; the panel eligibility requirements; the continuing legal education requirements; the membership requirements; and the removal from the panel requirements.

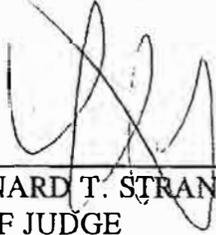
Local Rule 83(d)(2) addresses an appearance in a criminal case by an attorney who is not admitted to the bar of this district. Additionally, Local Rule 83(d)(3) and Administrative Order No. 19-AO-0004-P set forth the requirements for pro hac vice admission in a criminal case.

To furnish representation to persons in an expedited manner and in accordance with the district's CJA Plan, an attorney who is a member of a CJA Panel in this district, but is not admitted to the bar of Iowa, need not file a motion to appear pro hac vice under Local Rule 83(d)(2), Local Rule 83(d)(3)(A), and Administrative Order No. 19-AO-0004-P each time the attorney accepts a representation pursuant to the CJA Plan. Such attorney, however, must complete the ECF registration process if he or she has not already done so and file a notice of

appearance in each case in which he or she is appointed that: indicates on whose behalf he or she is appearing, acknowledges his or her status on the district's CJA panel, describes his or her good standing in the bar(s) where he or she is licensed, and cites the instant administrative order. Additionally, an attorney who files appearances while admitted under a "CJA/PHV" designation must pay the district's annual renewal fee by March 1 of each year.

IT IS SO ORDERED.

DATED this 16 th day of November, 2022.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



LINDA R. READE
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



C.J. WILLIAMS
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 16th day of November 2022 via email to:

Chambers of Chief Judge Leonard T. Strand (Donaline Schmith)

Senior Judge Linda R. Reade

Chambers of Senior Judge Linda R. Reade (Brian Keogh)

Chambers of Judge C.J. Williams (Sali Van Weelden)

Chambers of Chief Magistrate Judge Kelly K.E. Mahoney (Jami Gollhofer)

Chambers of Magistrate Judge Mark A. Roberts (Amy Steele)

Paul De Young, Clerk of District Court

Misti Michel, Chief Deputy

Kristen Sanchez, Case Administration Supervisor

Amanda Hughes, Information Systems Manager

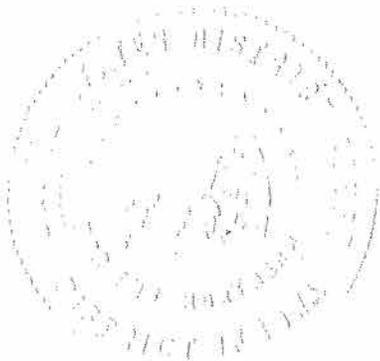
Marcia Prochnow, Jury Supervisor

Lisa Feuerbach, Chief Probation Officer

Brad Hansen, Federal Defender

Tim Duax, US Attorney

helpdesk@iand.uscourts.gov for posting on the external NDIA website



A handwritten signature in black ink, appearing to read "Cathy", is written over a horizontal line.

Cathy May
Human Resources Specialist

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE HOLIDAY
SCHEDULE FOR FISCAL
YEAR 2023

**PUBLIC
ADMINISTRATIVE ORDER**

No. 22-AO-0004-P

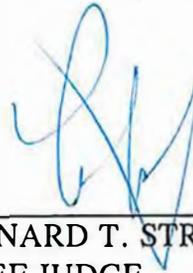
The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will be closed on **Friday, November 25, 2022, and Friday, December 23, 2022.** Questions about district court filings may be directed to the Clerk of Court, Paul De Young, at (319) 286-2321. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 18th day of October 2022.

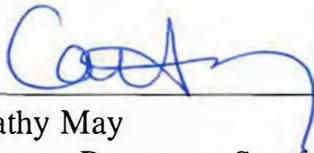


**LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

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Lisa Feuerbach, Chief Probation Officer
Brad Hansen, Federal Defender
Tim Duax, US Attorney
Chris Barther, US Marshal
Sharon Mullin, Clerk of Bankruptcy Court
Austin Puetz, GSA Cedar Rapids
Shaun Smith, GSA Sioux City
helpdesk@iand.uscourts.gov for posting on the external NDIA website



Cathy May
Human Resources Specialist



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN RE: REQUIRED NOTICE FOR
HEARINGS ON PETITIONS TO
REVOKE PROBATION OR
SUPERVISED RELEASE**

**PUBLIC
ADMINISTRATIVE ORDER**

**No. 22-AO-0003-P
(Supersedes 16-AO-0006-P)**

For the parties and the Court to be properly prepared for hearings on petitions to revoke probation or supervised release, the defendant must provide notice in advance of the hearing which, if any, of the alleged violations are contested, including not just the current violations but also any prior violations that have not previously been found by the Court at a hearing. The parties and the Court also need some advanced knowledge of witnesses and exhibits.

THEREFORE it is ordered that:

1. At least three court days prior to a scheduled revocation hearing, the defendant must file a notice which states whether each of the alleged violations in the Petition to Revoke will be admitted or contested by reference to the violation number. The defendant must address all violations not previously found by the Court at a hearing, and not just the current violations.

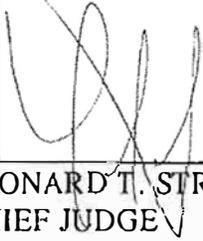
2. Regardless of whether any allegations in the Petition to Revoke will be contested, the parties must exchange a list of witnesses and exhibits, and copies of exhibits, that may be offered at the time of the revocation hearing at least 24 hours prior to the hearing. These lists must be emailed to chambers, as well. The supervising probation officer and the defendant need not be included on the witness lists.

3. If, upon preparation, the parties believe the hearing will take more than 45

minutes to complete, they must notify chambers immediately by email with a copy to opposing counsel or pro se party.

IT IS SO ORDERED.

DATED this 26th day of August, 2022.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



LINDA C. READE
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

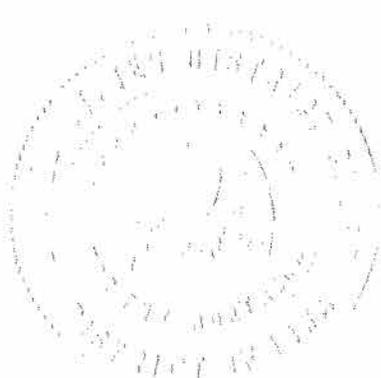


C.J. WILLIAMS
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

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Copies disbursed this 29th day of August 2022 via email to:

Chambers of Chief Judge Leonard T. Strand (Donaline Schmith)
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade (Brian Keogh)
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Brad Hansen, Federal Defender
Tim Duax, US Attorney
helpdesk@iand.uscourts.gov for posting on the external NDIA website



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Cathy May
Human Resources Specialist

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
CLERK OF COURT
NORTHERN DISTRICT
OF IOWA**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 22-AO-0002-P

Pursuant to **28 U.S.C Section 751**, it is ORDERED

Paul P. De Young of Cedar Rapids, Iowa, is appointed Clerk of Court for the United States District Court for the Northern District of Iowa effective March 28, 2022.

IT IS SO ORDERED.

DATED this 22nd day of March 2022.

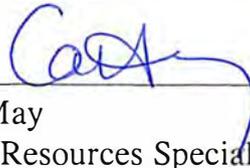


**LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

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Copies disbursed this 22nd day of March 2022 via email to:

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Misti Michel, Financial Supervisor
Marcia Prochnow, Jury Administrator
helpdesk@iand.uscourts.gov for posting on the external NDIA website



Cathy May
Human Resources Specialist



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

EMERGENCY CONDITIONS UNDER
THE CARES ACT

PUBLIC ADMINISTRATIVE
ORDER

No. 22-AO-0001-P

Pursuant to Sections 15002(b)(3)(A) and (B) of the CARES Act, the Court has reviewed the findings and authorizations set forth in Administrative Order 20-AO-0004-P (amended), as extended by Administrative Orders 20-AO-0009-P, 20-AO-0011-P, 20-AO-0014-P, 21-AO-0004-P and 21-AO-007-P, and hereby renews those findings and authorizations for ninety (90) days, through **June 13, 2022**.

IT IS SO ORDERED.

DATED the 10th day of March, 2022.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
EMERGENCY CONDITIONS UNDER
THE CARES ACT**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 21-AO-0007-P

In light of the ongoing spread of the COVID-19 virus, and pursuant to Sections 15002(b)(3)(A) and (B) of the CARES Act, the Court has reviewed the findings and authorizations set forth in Administrative Order 20-AO-0004-P (amended), as extended by Administrative Orders 20-AO-0009-P, 20-AO-0011-P, 20-AO-0014-P and 21-AO-0004-P, and hereby renews those findings and authorizations for ninety (90) days, through **March 15, 2022**.

IT IS SO ORDERED.

DATED the 15th day of December, 2021.

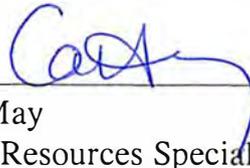


**LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

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Amanda Hughes, Information Systems Manager, to post on the external NDIA website
Misti Michel, Financial Supervisor
Marcia Prochnow, Jury Administrator



Cathy May
Human Resources Specialist



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
THE HOLIDAY
SCHEDULE FOR FISCAL
YEAR 2021

**PUBLIC
ADMINISTRATIVE ORDER**

No. 21-AO-0006-P

The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will be closed on **Friday, November 26, 2021**. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 4th day of October 2021.

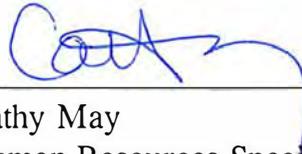


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

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Amanda Hughes Information Systems Manager



Cathy May
Human Resources Specialist



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
COVID-19 MASK GUIDANCE**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 21-AO-0005-P

Based on updated guidance issued by the Centers for Disease Control and Prevention (CDC) on May 13, 2021, Public Administrative Order No. 20-AO-0010-P, requiring the use of face masks or shields in the common areas of the United States Courthouses in Sioux City and Cedar Rapids, is hereby **vacated**.

Individuals who have not been fully vaccinated against COVID-19 are strongly encouraged to wear appropriate face masks while in any common area of the courthouse. In addition, any judge of this court may establish and enforce his or her own requirements for the use of masks in chambers and in courtrooms or other court-used space (e.g., jury rooms) during any proceedings over which the judge is presiding. Finally, each agency remains free to establish and enforce its own mask requirements concerning its own employees and visitors within the courthouse.

IT IS SO ORDERED.

Dated this 18th day of May, 2021.

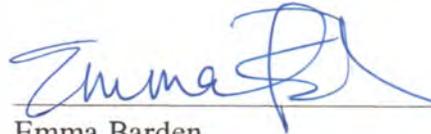


**LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

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Chambers of Chief Judge Leonard T. Strand (Donaline Schmith)
Senior Judge Linda R. Reade
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Chambers of Magistrate Judge Mark A. Roberts (Amy Steele)
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Paul DeYoung, Chief Deputy
Kristen Sanchez, Deputy in Charge
Amanda Hughes for posting on the external NDIA web-site



Emma Barden
Administrative Specialist



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
EMERGENCY CONDITIONS UNDER
THE CARES ACT

PUBLIC ADMINISTRATIVE
ORDER

No. 21-AO-0004-P

This Court recognizes that it is required under Sections 15002(b)(3)(A) and (B) of the CARES Act to review the findings and authorizations made in Administrative Order 20-AO-0004-P (amended) no later than 90 days after the initial order and any subsequent renewal. The Court has reviewed the findings and authorizations set forth in Administrative Order 20-AO-0004-P (amended), as extended by Administrative Orders 20-AO-0009-P, 20-AO-0011-P and 20-AO-0014-P, and hereby renews those findings and authorizations for an additional ninety (90) days, through **June 23, 2021**.

IT IS SO ORDERED.

DATED this 15th day of March, 2021.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

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Copies disbursed this 15th day of March, 2021 via email to:

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Chambers of Magistrate Judge Mark A. Roberts (Amy Steele)
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Amanda Hughes for posting on the external NDIA web-site



Emma Barden
Administrative Specialist



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

AMENDED AND
SUBSTITUTED CRIMINAL
JUSTICE ACT PLAN FOR
THE NORTHERN
DISTRICT OF IOWA

For providing Representation
Pursuant to the Criminal
Justice Act of 1964, as
Amended

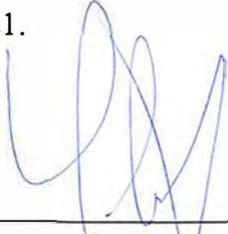
**PUBLIC
ADMINISTRATIVE ORDER**

**No. 21-AO-0003-P
(Supersedes No. 15-AO-05-P)**

The Amended and Substituted Criminal Justice Act Plan for the Northern District of Iowa, as approved by the Eighth Circuit Judicial Council on February 18, 2021, is hereby adopted. The Amended and Substituted Criminal Justice Act Plan for the Northern District of Iowa is available on the court's website.

This order supersedes Public Administrative Order 15-AO-05-P, which is dated November 12, 2015.

DATED this 19th day of February, 2021.

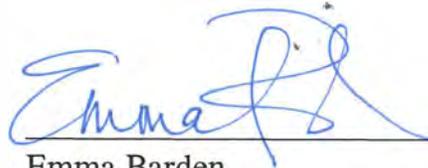


LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

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Copies disbursed this 1stth day of February, 2021 via email to:

Chambers of Chief Judge Leonard T. Strand (Donaline Schmith)
Senior Judge Linda R. Reade
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Sean Berry, United States Attorney's Office
Brad Hansen, Federal Public Defender's Office



Emma Barden
Administrative Specialist



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

REFILLING MASTER
JURY WHEEL

**PUBLIC
ADMINISTRATIVE ORDER**

No. 21-AO-0002-P

It having been brought to the court's attention that under the Jury Selection Plan for the United States District Court for the Northern District of Iowa, the Master Jury Wheel is due to be refilled.

IT IS HEREBY ORDERED

1. That the Master Jury Wheel for the Cedar Rapids-Eastern Division, Central Division and Western Division of this district shall be refilled by July 1, 2021.

2. Pursuant to Sections 4 and 5 of the Jury Selection Plan, the Secretary of State for the State of Iowa is authorized to carry out by automated methods the instructions and orders of this court, relating to the selection and recording of prospective juror names to be extracted from the "Source Lists" as defined in Section 5(c) of the Jury Selection Plan.

3. For the Cedar Rapids-Eastern Division, the selection must commence with the selection and recording of the 7th name on the Cedar Rapids-Eastern Division Source List, and, thereafter, every 59th name must be selected until the end of the Cedar Rapids-Eastern Division Source List is reached.

For the Central Division, the selection must commence with the selection and recording of the 7th name on the Central Division Source List, and, thereafter, every 43rd name must be selected until the end of the Central Division Source List is reached.

For the Western Division, the selection must commence with the selection and recording of the 1st name on the Western Division Source List, and, thereafter, every 23rd name must be selected until the end of the Western Division Source List is reached.

4. The names of the persons selected and recorded are to be treated as confidential and are neither to be furnished to any other person or organization nor used for any purpose other than for use in refilling this court's Master Jury Wheel under the Jury Selection Plan.

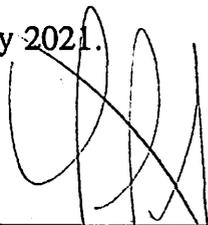
5. After drawing the names as set forth above, the Secretary of State for the State of Iowa must promptly provide to the Clerk of this court the lists of names in the form previously agreed to with the Clerk of this court.

6. The Clerk must then cause mailings to be sent to each person whose name appears on the lists so that he or she can complete a juror questionnaire. The Clerk is authorized to subcontract the mailings only if appropriate measures are made to protect the confidentiality of the names listed.

7. Prior to refilling the Master Jury Wheel, the Clerk must draw, at random, sufficient names from the existing Qualified Jury Wheel to satisfy the need for jurors in this district while the Master Jury Wheel is being refilled. After the new Master Jury Wheel is filled, the old Master Jury Wheel will be replaced. Upon refilling the new Qualified Jury Wheel, the old Qualified Jury Wheel will be replaced.

IT IS SO ORDERED.

DATED this 10th day of February 2021.

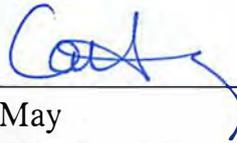


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

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Amanda Hughes for posting on the external NDIA website



Catherine May
Administrative Specialist



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN RE:
PROCEDURES FOR THE FILING,
SERVICE AND MANAGEMENT OF
HIGHLY SENSITIVE DOCUMENTS

**PUBLIC
ADMINISTRATIVE ORDER**

No. 21-AO-0001P

In response to recent disclosures of wide-spread breaches of both private sector and government computer systems, federal courts are immediately implementing new security procedures to protect highly sensitive documents filed with the courts;

The court finds that, pursuant to Federal Rule of Civil Procedure 5(d)(3)(A) and Federal Rule of Criminal Procedure 49(b)(3)(A), good cause exists to require parties to file certain highly sensitive documents outside of the court's electronic filing system.

THEREFORE, IT IS ORDERED that, effective as of the date of this order, the filing of a highly sensitive document is subject to the procedures and requirements set forth below. This Order supersedes any inconsistent provisions in the court's existing local rules or other administrative orders.

1. Documents Subject to this Order

A highly sensitive document (HSD) is generally defined as a document that contains highly sensitive non-public information that is likely to be of interest to malicious actors, including but not necessarily limited to, the intelligence service of a hostile foreign government, because the use or disclosure of such information could readily be used to create a specific, serious risk:

- i. of death or bodily injury to a specific person or a specific group of persons;
- ii. of harm to national security;
- iii. to the integrity of an ongoing law enforcement

- investigation or other ongoing and confidential governmental operation or investigation;
- iv. of exposing the existence of confidential proceedings under the False Claims Act;
 - v. to cybersecurity or major infrastructure security; or
 - vi. of giving a competitive advantage in favor of one or more foreign competitors of a United States business enterprise.

In the Northern District of Iowa, very few documents filed under seal in criminal cases and civil cases are HSDs. Counsel in criminal cases and civil cases are strongly encouraged to carefully analyze whether a document is a HSD.

The court anticipates that the following types of sealed documents may constitute HSDs:

- i. Applications for search warrants;
- ii. Applications for mobile tracking devices under 18 U.S.C. § 3117;
- iii. Applications for pen registers or trap and trace devices under 18 U.S.C. § 3127(3) & (4);
- iv. Applications for prospective or “real time” cellular site data under 18 U.S.C. § 3121;
- v. Applications for production of stored electronic communications under 18 U.S.C. § 2703;
- vi. Applications for electronic surveillance under 18 U.S.C. § 2518;
- vii. Applications for anticipatory search warrants based on *United States v. Grubbs*, 547 U.S. 90 (2006); and
- viii. Documents filed in relation to such applications.

The following types of sealed documents will almost never constitute HSDs:

- i. Presentence reports, pretrial release reports, and documents related to such reports;
- ii. Pleadings related to cooperation in most criminal cases;
- iii. Sealed indictments, criminal complaints, arrest warrants or petitions for action on conditions of release;
- iv. Grand jury proceedings;
- v. Social Security records;
- vi. Most sealed filings and protective orders in most cases,

- including settlement agreements;
- vii. Proprietary business information not of obvious interest to a specific foreign government or specific foreign business enterprise;
- viii. Medical, mental health or rehabilitation records;
- ix. Attorney discipline proceedings;
- x. Administrative immigration records;
- xi. Juvenile proceedings;
- xii. Documents containing personal or financial information; or
- xiii. Education records.

Any dispute as to whether a document is a HSD will be resolved by the presiding judge or, when no presiding judge is assigned, the chief judge.

2. Filing a Notice to Treat a Document as a HSD

It is the primary responsibility of a filing party to determine if a document constitutes a HSD. The filing procedures set forth below apply to documents that contain highly sensitive information.

- a. A filing party must file electronically a Notice to Treat a Document as a HSD. Without revealing the highly sensitive information contained within the HSD, the filing party's Notice to Treat a Document as a HSD must refer to the criteria set out in Section 1 above and briefly describe the document that constitutes a HSD.
- b. On the same day that the Notice to Treat a Document as a HSD is filed, the filing party must deliver to the clerk's office two paper copies of the HSD and a certificate of service. These documents must be submitted in a sealed envelope marked "HIGHLY SENSITIVE DOCUMENT" and marked with the applicable case name and case number, applicable docket number, and attorney's name, street address, telephone number, and email address. The HSD must be handed directly to a staff member of the clerk's office. If the HSD cannot be submitted in person to a staff member of the clerk's office, please contact the clerk's office to obtain information on how to submit the HSD. If paper copies of the HSD cannot be submitted, please contact the clerk's office to obtain information on how to submit the HSD.
- c. After the filing party delivers the HSD to the clerk's office, the

docket clerk who receives the HSD will make a docket entry in the case indicating the date and time the filing party filed the HSD.

- d. For documents that must be served on opposing parties, the filing party must serve the HSD on the opposing parties as follows:
 - i. Criminal cases – by any manner specified in Federal Rule of Criminal Procedure 49(a)(3)(B) or (a)(4), except for service via the court’s electronic filing system; or
 - ii. Civil cases – by any manner specified in Federal Rule of Civil Procedure 5(b)(2), except for service via the court’s electronic filing system.

After serving the opposing party, the filing party must electronically file a certificate of service.

- e. The clerk’s office will maintain the HSD in a secure paper filing system or a secure standalone computer system that is not connected to any network.
- f. Upon review of the HSD, the court may direct the parties to take additional steps, including but not necessarily limited to filing briefs and/or filing the HSD in the normal course.

3. Filing and Service of Documents and Court Orders Relating to HSDs

If a party objects to the filing of a document as a HSD, such party should alert the court by filing a Notice of Objection Regarding HSD Filing without revealing the nature of the allegedly highly sensitive information that the filing party submitted. Upon receipt of a Notice of Objection Regarding HSD Filing, the court will establish secure filing procedures to resolve the dispute concerning the filing party’s HSD. If the court determines that a court order contains highly sensitive information, the clerk’s office will file and maintain the order in a secure paper filing system or a secure standalone computer system that is not connected to any network, and it will serve paper copies of the order on the parties via mail.

4. Removal of Existing Documents as HSDs or Highly Sensitive Cases from the Court's Electronic Filing System

- a. Upon motion of a party or upon its own motion, the court may determine that a document, case, or any portion of it, that has been filed electronically is highly sensitive. If it makes such a determination, the court may direct that the HSD or case be removed from the court's electronic filing system and maintained by the clerk's office in a secure paper filing system or a secure standalone computer system that is not connected to any network.
- b. A party's motion to remove a HSD or highly sensitive case from the court's electronic filing system must explain why such document or case is highly sensitive under the criteria set out in Section 1. above or why it should otherwise be subject to the heightened protection for HSDs. To the extent a party is concerned about revealing the nature of the highly sensitive information, the party may request that the court establish secure filing procedures to address the party's concerns.

5. Questions about HSD Filing Procedures

Any questions about how HSDs should be filed with the court pursuant to this Order should be directed to Paul De Young at: 319-286-2321 or Paul_DeYoung@iand.uscourts.gov.

IT IS SO ORDERED.

DATED this 29th day of January, 2021.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

EMERGENCY CONDITIONS UNDER
THE CARES ACT

PUBLIC ADMINISTRATIVE
ORDER

No. 20-AO-0014-P

This Court recognizes that it is required under Sections 15002(b)(3)(A) and (B) of the CARES Act to review the findings and authorizations made in Administrative Order 20-AO-0004-P (amended) no later than 90 days after the initial order and any subsequent renewal. The Court has reviewed the findings and authorizations set forth in Administrative Order 20-AO-0004-P (amended), as extended by Administrative Orders 20-AO-0009-P and 20-AO-0011-P, and hereby renews those findings and authorizations for an additional ninety (90) days, through **March 25, 2021**.

IT IS SO ORDERED.

DATED this 10th day of December, 2020.

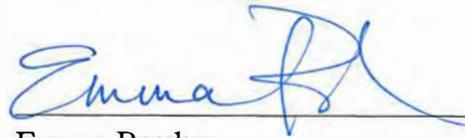


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 10th day of December, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand (Donaline Schmith)
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade (Aaron Shileny)
Chambers of Judge C.J. Williams (Sali Van Weelden)
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney (Jami Gollhofer)
Chambers of Magistrate Judge Mark A. Roberts
Robert Phelps, Clerk of District Court
Paul DeYoung, Chief Deputy
Kristen Sanchez, Deputy in Charge
Amanda Hughes for posting on the external NDIA web-site



Emma Barden
Administrative Specialist



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

AMENDED LOCAL RULES
EFFECTIVE DECEMBER 7,
2020

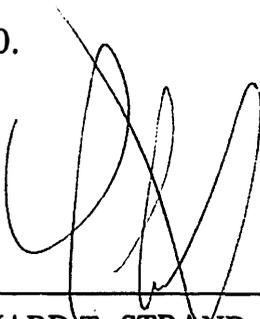
**PUBLIC
ADMINISTRATIVE ORDER**

**No. 20-AO-0013-P
(Supercedes No. 17-AO-0003-P)**

The Local Rules published on the court's website are hereby adopted as the Local Rules for the Northern District of Iowa, effective December 7, 2020.

IT IS SO ORDERED.

DATED this 4th day of December, 2020.

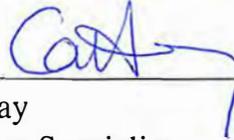


**LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

Certified original placed in Public Administrative Order Book.

Copies disbursed this 4th day of December 2020 via email to:

Chief Judge Leonard T. Strand
Judge Linda R. Reade
Judge C.J. Williams
Chief Magistrate Judge Kelly K.E. Mahoney
Magistrate Judge Mark A. Roberts
Robert Phelps, Clerk of District Court
Paul DeYoung, Chief Deputy
Kristen Sanchez, Deputy in Charge
Amanda Hughes, for posting on the internal NDIA website



Catherine May
Administrative Specialist



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE HOLIDAY
SCHEDULE FOR FISCAL
YEAR 2021

**PUBLIC
ADMINISTRATIVE ORDER**

No. 20-AO-0012-P

The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will be closed on **Friday, November 27, 2020** and **Thursday, December 24, 2020**. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 15th day of October, 2020.

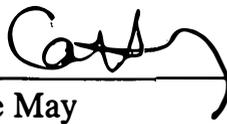


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

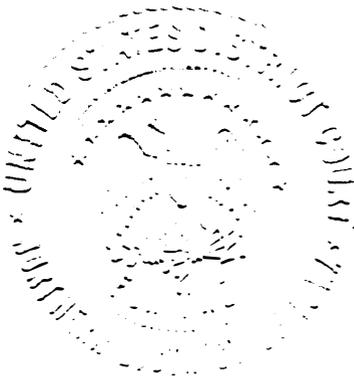
Certified original placed in Public Administrative Order Book.

Copies disbursed this 16 day of October, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
Robert Phelps, Clerk of District Court
Paul De Young, Chief Deputy
Kristen Sanchez, Case Administration Supervisor
John Zielke, Chief Probation Officer
Sharon Mullin, Clerk of Bankruptcy Court
Peter Deegan, US Attorney
Tim Duax, Assistant US Attorney, Sioux City
Doug Strike, US Marshal
Brad Hansen, Federal Public Defender
Christopher Nathan, Assistant Federal Public Defender, Cedar Rapids
Diane Strawn, Iowa Field Office Director, GSA
Austin Puetz, Building Management Specialist, GSA, Cedar Rapids
Shaun Smith, Building Manager, GSA, Sioux City
Brittney Zumbach Carroll, Outreach Director, Senator Ernst's Office
Rochelle Fuller, Regional Director, Senator Grassley's Office
Amanda Hughes for posting on the external NDIA web-site



Catherine May
Administrative Specialist



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
EMERGENCY CONDITIONS UNDER
THE CARES ACT**

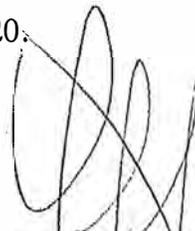
**PUBLIC ADMINISTRATIVE
ORDER**

No. 20-AO-0011-P

This Court recognizes that it is required under Sections 15002(b)(3)(A) and (B) of the CARES Act to review the findings and authorizations made in Administrative Order 20-AO-0004-P (amended) no later than 90 days after the initial order and any subsequent renewal. The Court has reviewed the findings and authorizations set forth in Administrative Order 20-AO-0004-P (amended), as extended by Administrative Order 20-AO-0009-P, and hereby renews those findings and authorizations for an additional ninety (90) days, through December 25, 2020.

IT IS SO ORDERED.

DATED this 18th day of September, 2020.



**LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

Certified original placed in Public Administrative Order Book.

Copies disbursed this 18th day of September, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand (Donaline Schmith)

Senior Judge Linda R. Reade

Chambers of Senior Judge Linda R. Reade (Aaron Shileny)

Chambers of Judge C.J. Williams (Sali Van Weelden)

Chambers of Chief Magistrate Judge Kelly K.E. Mahoney (Jami Gollhofer)

Chambers of Magistrate Judge Mark A. Roberts

Robert Phelps, Clerk of District Court

Paul DeYoung, Chief Deputy

Kristen Sanchez, Deputy in Charge

Amanda Hughes for posting on the external NDA web-site



A handwritten signature in black ink, which appears to read "Kelly Kornegor", is written over a horizontal line.

Kelly Kornegor
Administrative Support II

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
COVID-19 MASK REQUIREMENT**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 20-AO-0010-P

Effective Monday, August 3, 2020, appropriate face masks or shields must be worn at all times in the common areas of the United States Courthouses in Sioux City and Cedar Rapids. The common areas of the courthouse include all areas generally available to the public, including the courtrooms. While in the courtrooms, the presiding judge may modify this requirement as the judge deems appropriate.

The United States Marshal and Court Security Officers shall require that any person entering the courthouse wear a face mask or shield. The court will provide masks for those who do not have one. Any person refusing to wear a mask or shield shall not be admitted to the courthouse. Persons observed within the common areas of the courthouse without wearing a mask or shield so as to cover the individual's nose and mouth shall be warned and directed to comply with this order. Any person who repeatedly violates this order may be removed from the courthouse for the remainder of that day or subjected to other sanctions.

Children under the age of two years are not required by this order to wear a mask or shield. Any request for deviation from this order for medical reasons shall be referred to a judicial officer, preferably the presiding judicial officer if the visitor is attending a hearing.

This order will remain in place until further notice.

IT IS SO ORDERED.

Dated this 29th day of July, 2020.

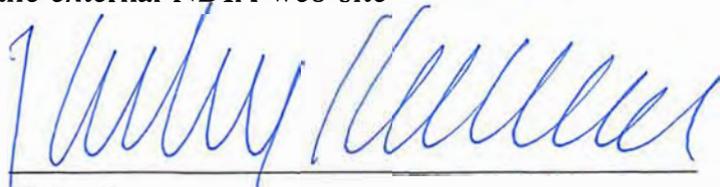


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 29th day of July, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
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Brittney Zumbach Carroll, Outreach Director, Senator Ernst's Office
Rochelle Fuller, Regional Director, Senator Grassley's Office
Bryan Woodward for posting on the external NDIA web-site



Kelly Kornegor
Administrative Assistant



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

EMERGENCY CONDITIONS UNDER
THE CARES ACT

PUBLIC ADMINISTRATIVE
ORDER

No. 20-AO-0009-P

This Court recognizes that it is required under Sections 15002(b)(3)(A) and (B) of the CARES Act to review the findings and authorizations made in Administrative Order 20-AO-0004-P (amended) no later than 90 days after the initial order and any subsequent renewal. The Court has reviewed Administrative Order 20-AO-0004-P (amended) and hereby renews that order for an additional ninety (90) days, through September 26, 2020.

IT IS SO ORDERED.

DATED this 24th day of June, 2020.

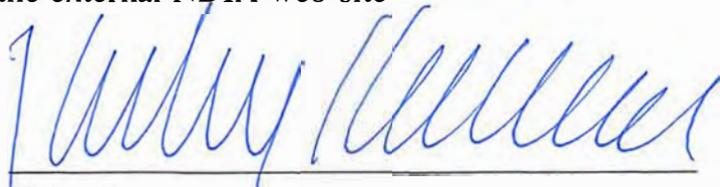


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 24th day of June, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
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Bryan Woodward for posting on the external NDIA web-site



Kelly Kornegor
Administrative Assistant



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
RESUMPTION OF COURT
OPERATIONS**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 20-AO-0008-P

The Court has formulated plans for proceeding with jury trials while following guidance from the Centers for Disease Control and Prevention (CDC), the Administrative Office of the U.S. Courts (AO) and state and local public health offices. As such, and as previously contemplated by Public Administrative Order 20-AO-0007-P, the Court will begin conducting jury trials effective **June 1, 2020**. However, should any party desire a continuance of a jury trial scheduled on or after June 1, 2020, due to ongoing public health concerns, the presiding judge will give due consideration to such a motion.

Public Administrative Order 20-AO-0003-P, which established modified public hours for Court operations, shall expire effective **June 1, 2020**. Regular public business hours will resume on that date.

Public Administrative Order 20-AO-0006-P, imposing certain requirements on individuals entering a courthouse, remains in effect until further notice.

DATED this 14th day of May, 2020.

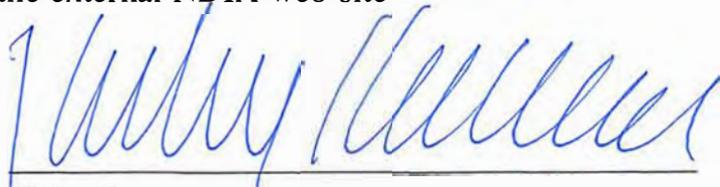


**LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

Certified original placed in Public Administrative Order Book.

Copies disbursed this 14th day of May, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
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Brittney Zumbach Carroll, Outreach Director, Senator Ernst's Office
Rochelle Fuller, Regional Director, Senator Grassley's Office
Bryan Woodward for posting on the external NDIA web-site



Kelly Kornegor
Administrative Assistant



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

**CHANGES TO COURT OPERATIONS
DUE TO CORONAVIRUS DISEASE
(COVID-19)**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 20-AO-0007-P

Due to the continuing public health crisis resulting from the COVID-19 pandemic, the Court finds that it is necessary to extend and modify Public Administrative Order 20-AO-0002-P, issued March 16, 2020, which was extended by Public Administrative Order 20-AO-0005-P, issued April 8, 2020 (collectively, the Prior Orders), as set forth herein:

1. For the reasons set forth in the Prior Orders, all civil and criminal jury trials scheduled to commence on or before May 31, 2020, before any judge in the Northern District of Iowa, are **continued** pending further order of the Court. The Court specifically finds that the ends of justice served by continuing all criminal jury trials outweigh the best interests of the public and any defendant's right to a speedy trial, and the periods of delay occasioned by the continuances implemented by this Administrative Order are therefore excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A). The failure of a defendant to object to this Administrative Order will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act. Any defendant whose trial was continued by the Prior Orders, and has filed an objection to the Prior Orders, need not file another objection. Any defendant whose trial was continued by the Prior Orders and has not filed an objection to the Prior Orders will be deemed to have waived that objection.

2. The Court is making preparations for the resumption of jury trials beginning June 1, 2020. These preparations include modifications to the jury selection process and other aspects of the trial proceedings that will incorporate social distancing and other

public health precautions. Details will be provided to the parties and counsel in advance of any jury trial that will be conducted under these modified procedures. Should any party desire a continuance of a jury trial scheduled on or after June 1, 2020, due to ongoing public health concerns, the presiding judge will give due consideration to such a request.

3. All grand jury proceedings in the Northern District of Iowa that are scheduled to occur after May 11, 2020, shall proceed as scheduled.

4. Except as modified in this Order, the terms of the Prior Order remain in effect. In addition, Administrative Orders 20-AO-0001-P, 20-AO-0003-P, 20-AO-0004-P and 20-AO-0006-P continue to remain in effect until further notice.

5. The Court will vacate, extend, or amend this Order no later than May 31, 2020.

DATED this 28th day of April, 2020.

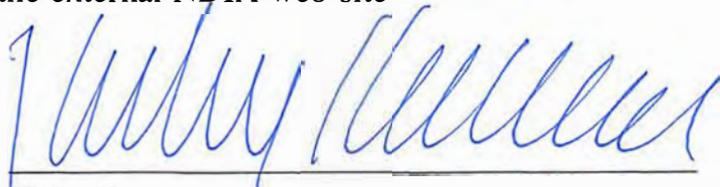


LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 28th day of April, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
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Brittney Zumbach Carroll, Outreach Director, Senator Ernst's Office
Rochelle Fuller, Regional Director, Senator Grassley's Office
Bryan Woodward for posting on the external NDIA web-site



Kelly Kornegor
Administrative Assistant



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
CORONAVIRUS DISEASE
(COVID-19)**

**PUBLIC ADMINISTRATIVE
ORDER**

**No. 20-AO-0006-P
(Supersedes 20-AO-0001-P)**

The United States District Court, Northern District of Iowa, continues to monitor the most current statements from the Centers for Disease Control and Prevention (CDC), as well as all communications disseminated by the Administrative Office of the U. S. Courts (AO), regarding the Coronavirus Disease 2019 (COVID-19). The Court is following recommended guidelines from public health officials and preparedness guidance from the AO.

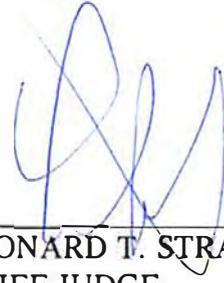
Please note that if you have been asked to self-quarantine by any hospital or health agency; or have been diagnosed with; or if you are experiencing or recently have experienced the symptoms of COVID-19, you must not enter the courthouse. Further, if you have traveled within the last 14 days; reside or have had close contact with someone who has traveled within the last 14 days; or have had contact with anyone who have been diagnosed with COVID-19, you must inform the Court Security Officers upon entering the courthouse and may be restricted from entering the building.

If you are so affected and are an attorney scheduled to appear before the court in the near future, you must notify the court so that appropriate safeguard measures can be taken. You may appear via teleconference or video-conference with the approval of the presiding Judge.

These restrictions will remain in place until further notice.

IT IS SO ORDERED.

DATED this 17th day of April, 2020.

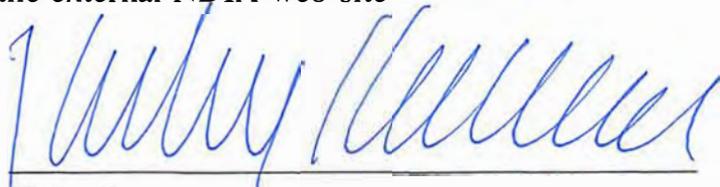


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 17th day of April, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
Robert Phelps, Clerk of District Court
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Rochelle Fuller, Regional Director, Senator Grassley's Office
Bryan Woodward for posting on the external NDIA web-site



Kelly Kornegor
Administrative Assistant



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

**CHANGES TO COURT OPERATIONS
DUE TO CORONAVIRUS DISEASE
(COVID-19)**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 20-AO-0005-P

Due to the continuing public health crisis resulting from the COVID-19 pandemic, the Court finds that it is necessary to extend and modify Public Administrative Order 20-AO-0002-P, issued March 16, 2020 (the Prior Order), as set forth herein:

1. For the reasons set forth in the Prior Order, all civil and criminal jury trials scheduled to commence on or before May 11, 2020, before any judge in the Northern District of Iowa, are **continued** pending further order of the Court. The Court specifically finds that the ends of justice served by continuing all criminal jury trials outweigh the best interests of the public and any defendant's right to a speedy trial, and the periods of delay occasioned by the continuances implemented by this Administrative Order are therefore excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A). The failure of a defendant to object to this Administrative Order will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act. Any defendant whose trial was continued by the Prior Order and has filed an objection to the Prior Order need not file another objection. Any defendant whose trial was continued by the Prior Order and has not filed an objection to the Prior Order will be deemed to have waived that objection.

2. For the reasons set forth in the Prior Order, all grand jury proceedings in the Northern District of Iowa between the date of this Order and May 11, 2020, are **continued** pending further order of the Court. The 30-day time period for filing an indictment or an information is hereby tolled as to each defendant during the time period

between March 16, 2020, and May 11, 2020, pursuant to 18 U.S.C. §§ 3161(b) and 3161(h)(7)(A). The Court finds that the ends of justice served by taking such action outweigh the best interests of the public and any defendant's right to a speedy trial. Therefore, the time period between March 16, 2020, and May 11, 2020, is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), and will not be considered in determining if an Indictment or Information is filed within the time limits set forth in 18 U.S.C. § 3161(b).

3. Except as modified in this Order, the terms of the Prior Order remain in effect. In addition, Administrative Orders 20-AO-0001-P, 20-AO-0003-P, and 20-AO-0004-P continue to remain in effect until further notice.

4. The Court will vacate, extend, or amend this Order no later than May 11, 2020.

DATED this 8th day of April, 2020.



LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 8th day of April, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
Robert Phelps, Clerk of District Court
Paul DeYoung, Chief Deputy
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Peter Deegan, US Attorney
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Brittney Zumbach Carroll, Outreach Director, Senator Ernst's Office
Rochelle Fuller, Regional Director, Senator Grassley's Office
Bryan Woodward for posting on the external NDIA web-site



Kelly Kornegor
Administrative Assistant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
EMERGENCY CONDITIONS UNDER
THE CARES ACT**

**PUBLIC ADMINISTRATIVE
ORDER (AMENDED)**

No. 20-AO-0004-P

The United States District Court, Northern District of Iowa, continues to evaluate the response to the spread of the COVID-19 virus and recognizes the need to assist in the preservation of public safety and health while effectively administering justice during this period of national emergency. The Judicial Conference of the United States has found under the CARES Act, H.R. 748 (CARES Act), that emergency conditions due to the national emergency declared by the President will materially affect the functioning of the Federal courts generally;

NOW THEREFORE, the Court hereby adopts the following Order:

1. This Court authorizes on its own motion the use of video teleconferencing, or telephone conferencing if video teleconferencing is not reasonably available, in the criminal procedures specifically enumerated in Section 15002(b)(1) of the CARES Act, to wit:

- a. Detention hearings under section 3142 of title 18, United States Code;
- b. Initial appearances under Rule 5 of the Federal Rules of Criminal Procedure;
- c. Preliminary hearings under Rule 5.1 of the Federal Rules of Criminal Procedure;

- d. Waivers of indictment under Rule 7(b) of the Federal Rules of Criminal Procedure;
- e. Arraignments under Rule 10 of the Federal Rules of Criminal Procedure;
- f. Probation and supervised release revocation proceedings under Rule 32.1 of the Federal Rules of Criminal Procedure;
- g. Pretrial release revocation proceedings under section 3148 of title 18, United States Code;
- h. Appearances under Rule 40 of the Federal Rules of Criminal Procedure;
- i. Misdemeanor pleas and sentencings as described in Rule 43(b)(2) of the Federal Rules of Criminal Procedure; and
- j. Proceedings under chapter 403 of title 18, United States Code (commonly known as the “Federal Juvenile Delinquency Act”), except for contested transfer hearings and juvenile delinquency adjudication or trial proceedings.

Video conferencing or telephone conferencing authorized under this paragraph may take place only with the consent of the defendant, or the juvenile, after consultation with counsel. To facilitate the consent of the defendant or the juvenile, the presiding judge in the case may authorize the use of remote means, which includes but is not limited to participation of defense counsel and the defendant or the juvenile in the video conference or telephone conference.

2. At this time, and based on information currently available, the Court is not making the findings described in Section 15002(b)(2) of the CARES Act, as the Court believes that with appropriate precautions (e.g., social distancing), felony plea and sentencing hearings can be conducted in person in this district without seriously jeopardizing public health and safety. However, the Court is sensitive to the concerns some individuals may have about attending court proceedings and is willing to entertain motions to continue

hearings in particular cases. In addition, the Court is continuing to monitor developments closely.

3. Members of the public who wish to listen to any public hearing or court proceeding scheduled for video conferencing or teleconferencing may contact the Clerk's Office to obtain access information. Persons granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court.

4. This Court recognizes that it is required under Sections 15002(b)(3)(A) and (B) of the CARES Act to review the findings and authorizations made in this Order no later than ninety (90) days after its initial Order or any subsequent renewal.

SO ORDERED this 30th day of March, 2020.



LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 3rd day of April, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
Robert Phelps, Clerk of District Court
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Brittney Zumbach Carroll, Outreach Director, Senator Ernst's Office
Rochelle Fuller, Regional Director, Senator Grassley's Office
Bryan Woodward for posting on the external NDIA web-site



A handwritten signature in blue ink, which appears to read "Kelly Kornegor", is written over a horizontal line.

Kelly Kornegor
Administrative Assistant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
COURT HOURS OF OPERATION**

**PUBLIC ADMINISTRATIVE
ORDER**

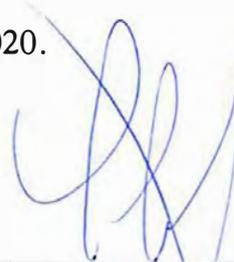
No. 20-AO-0003-P

The United States District Court, Northern District of Iowa, continues to monitor the most current statements from the Centers for Disease Control and Prevention (CDC), as well as all communications from the Administrative Office of the U.S. Courts (AO), and Iowa public health offices, regarding the Coronavirus Disease 2019 (COVID-19).

Effective immediately the public hours for Court operations on regular business days at the Sioux City courthouse and the Cedar Rapids courthouse will be 9:00 a.m. to 4:00 p.m. To the limited extent that in-court proceedings are still taking place, they will be scheduled during those hours. Reducing the hours available for public access to the buildings will allow court staff and security personnel to better handle the additional requirements necessitated by this ongoing event. These reduced hours will remain in place until further notice.

IT IS SO ORDERED.

DATED this 20th day of March, 2020.



**LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

Certified original placed in Public Administrative Order Book.

Copies disbursed this 20th day of March, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
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Bryan Woodward for posting on the external NDIA web-site



A handwritten signature in blue ink, which appears to read "Kelly Kornegor", is written over a horizontal line.

Kelly Kornegor
Administrative Assistant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

**CHANGES TO COURT OPERATIONS
DUE TO CORONAVIRUS DISEASE
(COVID-19)**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 20-AO-0002-P

The ongoing spread of the coronavirus, and the resulting outbreak of the respiratory disease COVID-19 in Iowa and bordering states, has created an emergency situation. After consulting with representatives of numerous agencies, including but not limited to the Federal Public Defender's Office, the United States Attorney's Office, the United States Probation Office and the United States Marshals Service, the Court finds that certain changes to court operations must be enacted to assist efforts to slow the transmission of the virus. Accordingly,

IT IS ORDERED:

1. All civil and criminal jury trials scheduled to commence on or before April 24, 2020, before any judge in the Northern District of Iowa, are **continued** pending further order of the Court. Because of the Court's inability to safely call and retain an adequate cross-section of jurors, and the impact of public health recommendations on the availability of clients, counsel, and court staff to be present in the courtroom, the Court specifically finds that the ends of justice served by continuing all criminal jury trials outweigh the best interests of the public and any defendant's right to a speedy trial, and the periods of delay occasioned by the continuances implemented by this Administrative Order are therefore excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A). The failure of a defendant to object to this Administrative Order will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

2. Non-jury proceedings, such as bench trials and hearings, shall proceed as scheduled unless continued, on a case-by-case basis, by the presiding judge. However, parties are encouraged to consider participation by telephone or video conferencing when that option is permitted by law and technologically feasible.

3. All grand jury proceedings in the Northern District of Iowa between March 16, 2020, and April 24, 2020, are continued pending further order of the Court. Grand jury proceedings on or after April 28, 2020, remain set as previously scheduled, pending further order of the Court. The 30-day time period for filing an indictment or an information is hereby tolled as to each defendant during the time period between March 16, 2020, and April 28, 2020, pursuant to 18 U.S.C. §§ 3161(b) and 3161(h)(7)(A). For the same reasons discussed above, the Court finds that the ends of justice served by taking such action outweigh the best interests of the public and any defendant's right to a speedy trial. Therefore, the time period between March 16, 2020, and April 28, 2020, is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A), and will not be considered in determining if an Indictment or Information is filed within the time limits set forth in 18 U.S.C. § 3161(b).

4. All deadlines established in civil cases shall remain in place, pending any case-specific adjustments to be made on motion from the parties or on the Court's own motion. Parties are encouraged to consider conducting discovery through means that avoid unnecessary travel or personal contact, such as by telephone or video conferencing. Any dispute over whether discovery can be effectively accomplished consistent with applicable public health guidelines may be submitted to the Court by motion, subject to the consultation requirements of N.D. Iowa L.R. 7(k).

5. Except as set forth herein, Court business will proceed as usual to the extent possible consistent with public health guidelines.

6. The Court will vacate, extend, or amend this Order no later than April 24, 2020.

DATED this 16th day of March, 2020.



LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 16th day of March, 2020 via email to:

Chambers of Chief Judge Leonard T. Strand
Senior Judge Linda R. Reade
Chambers of Senior Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
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Rochelle Fuller, Regional Director, Senator Grassley's Office
Bryan Woodward for posting on the external NDIA web-site



A handwritten signature in blue ink, which appears to read "Kelly Kornegor", is written over a horizontal line.

Kelly Kornegor
Administrative Assistant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
CORONAVIRUS DISEASE
(COVID-19)**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 20-AO-0001-P

The United States District Court, Northern District of Iowa, continues to monitor the most current statements from the Centers for Disease Control and Prevention (CDC), as well as all communications disseminated by the Administrative Office of the U. S. Courts (AO), regarding the Coronavirus Disease 2019 (COVID-19). The Court is following recommended guidelines from public health officials and preparedness guidance from the AO. Currently, there has been no adjustment in court operations, except as listed below.

Please note that if you have been asked to self-quarantine by any hospital or health agency; or have been diagnosed with; or if you are experiencing or recently have experienced the symptoms of COVID-19, you must not enter the courthouse. Further, if you have traveled to China, Italy, Iran, or South Korea within the last 14 days; reside or have had close contact with someone who has traveled to one of the above areas within the last 14 days; or have had contact with anyone who have been diagnosed with COVID-19, you must inform the Court Security Officers upon entering the courthouse and may be restricted from entering the building.

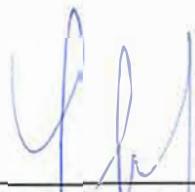
If you are so affected and are an attorney scheduled to appear before the court in the near future, you must notify the court so that appropriate safeguard measures can be

taken. You may appear via teleconference or video-conference with the approval of the presiding Judge.

These restrictions will remain in place until further notice.

IT IS SO ORDERED.

DATED this 13th day of March, 2020.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
CHRISTMAS EVE FOR
FISCAL YEAR 2020

**PUBLIC
ADMINISTRATIVE ORDER**

No. 19-AO-0006-P

The President has signed an executive order giving federal workers the day off on Christmas Eve, Dec 24, 2019. The United States District Court for the Northern District of Iowa will follow suit and be closed that day.

The offices of the Clerk of Court and Probation will be closed on **Tuesday, December 24, 2019**. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 18th day of December, 2019.



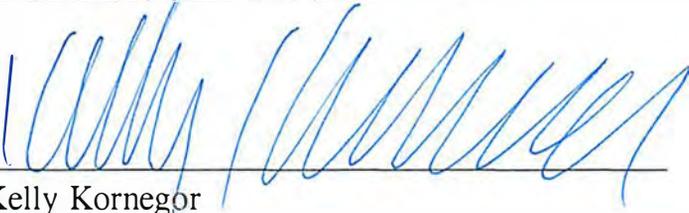
LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 18th day of December, 2019 via email to:

Chambers of Chief Judge Leonard T. Strand
Judge Linda R. Reade
Chambers of Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
Robert Phelps, Clerk of District Court
Paul DeYoung, Chief Deputy
Kristen Sanchez, Case Administration Supervisor
John Zielke, Chief Probation Officer
Megan Weiss, Acting Clerk of Bankruptcy Court
Peter Deegan, US Attorney
Tim Duax, Assistant US Attorney, Sioux City
Doug Strike, US Marshal
Jim Whalen, Federal Public Defender, Des Moines
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Diane Strawn, Iowa Field Office Director, GSA
Austin Puetz, Building Management Specialist, GSA, Cedar Rapids
Shaun Smith, Building Manager, GSA, Sioux City
Brittney Zumbach Carroll, Outreach Director, Senator Ernst's Office
Rochelle Fuller, Regional Director, Senator Grassley's Office
Bryan Woodward for posting on the external NDIA web-site





Kelly Kornegor
Administrative Assistant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE HOLIDAY
SCHEDULE FOR FISCAL
YEAR 2020

**PUBLIC
ADMINISTRATIVE ORDER**

No. 19-AO-0005-P

The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will be closed on **Friday, November 29, 2019**. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 9th day of October, 2019.



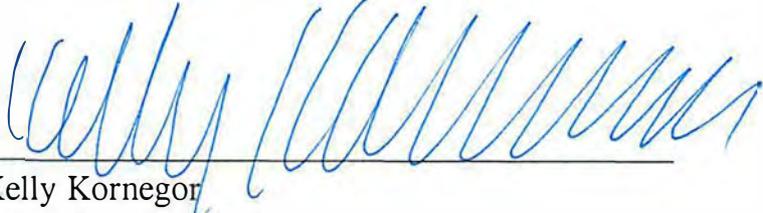
**LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

Certified original placed in Public Administrative Order Book.

Copies disbursed this 9th day of October, 2019 via email to:

Chambers of Chief Judge Leonard T. Strand
Judge Linda R. Reade
Chambers of Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
Robert Phelps, Clerk of District Court
Paul DeYoung, Chief Deputy
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Brittney Zumbach Carroll, Outreach Director, Senator Ernst's Office
Rochelle Fuller, Regional Director, Senator Grassley's Office
Bryan Woodward for posting on the external NDIA web-site





Kelly Kornegor
Administrative Assistant

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
PRO HAC VICE ADMISSION**

**PUBLIC
ADMINISTRATIVE ORDER
No. 19-AO-0004-P
(Supersedes No. 10-AO-0004-P)**

In addition to the requirements set forth in Local Rule 83(d)(3) and (4), any motion for admission to practice on a pro hac vice basis in this District must include, as an attachment, a Certificate of Good Standing issued by the attorney licensing authority of at least one state or territory of the United States, or of the District of Columbia. The Certificate of Good Standing must have been issued no more than ninety (90) days before the date of the motion for admission pro hac vice.

Every attorney admitted to practice on a pro hac vice basis in this District has an affirmative obligation to notify the Court, in writing, if the attorney is no longer in good standing in the jurisdiction that issued the attorney's Certificate of Good Standing. Such notification must be provided as quickly as practicable, but in no event more than seven (7) days after the attorney is notified that the attorney is no longer in good standing. This obligation exists so long as the case for which pro hac vice admission is granted remains pending, unless the attorney has previously been granted leave to withdraw.

IT IS SO ORDERED.

DATED this 23rd day of September 2019.

A handwritten signature in blue ink, appearing to be 'L. Strand', written above a horizontal line.

Leonard T. Strand, Chief Judge

Copy placed in Public Administrative Order Book

Copies disbursed this 23rd day of September 2019 via email to:

Chambers of Chief Judge Leonard T. Strand
Judge Linda R. Reade
Chambers of Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
Robert Phelps, Clerk of District Court
Paul DeYoung, Chief Deputy
Kristen Sanchez, Case Administration Supervisor
Bryan Woodward for posting on the internal NDIA web-site



A handwritten signature in blue ink, which appears to read "Kelly Kornegor", is written over a horizontal line.

Kelly Kornegor
Administrative Support II

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
GOVERNMENT'S RESPONSE TO
PRO SE MOTIONS**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 19-AO-0003-P

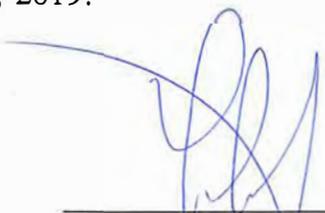
Given current litigation practices in criminal cases within the Northern District of Iowa and the court's expectations in these cases, the court concludes the government need not file a response to a pro se motion in the following situations:

- (1) a defendant in a criminal case files a pro se motion after judgment enters against such defendant;
- (2) a defendant in a criminal case files a pro se motion while being represented by an attorney who has filed an appearance on behalf of such defendant; or
- (3) a person or entity that is not a party to the criminal case files a pro se motion.

Cf. LR 7(e) (addressing requirements that must be met when a party resists a motion). When the court deems it necessary for the government to respond to a matter that is asserted in a pro se motion as set forth in any of those situations, it will enter an order that establishes a briefing schedule for the government.

IT IS SO ORDERED.

DATED this 10th day of April, 2019.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 10th day of April, 2019 via email to:

Chambers of Chief Judge Leonard T. Strand
Judge Linda R. Reade
Chambers of Judge Linda R. Reade
Chambers of Judge C.J. Williams
Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
Chambers of Magistrate Judge Mark A. Roberts
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Paul DeYoung, Chief Deputy
Bryan Woodward for posting on the external NDIA web-site



Andrea Freeman
Administrative Services Specialist

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

REFILLING MASTER
JURY WHEEL

**PUBLIC
ADMINISTRATIVE ORDER**

No. 19-AO-0002-P

It having been brought to the court's attention that under the Jury Selection Plan for the United States District Court for the Northern District of Iowa, the Master Jury Wheel is due to be refilled.

IT IS HEREBY ORDERED

1. That the Master Jury Wheel for the Cedar Rapids-Eastern Division, Central Division and Western Division of this district shall be refilled by July 1, 2019.

2. Pursuant to Sections 4 and 5 of the Jury Selection Plan, the Secretary of State for the State of Iowa is authorized to carry out by automated methods the instructions and orders of this court, relating to the selection and recording of prospective juror names to be extracted from the "Source Lists" as defined in Section 5(c) of the Jury Selection Plan.

3. For the Cedar Rapids-Eastern Division, the selection must commence with the selection and recording of the 50th name on the Cedar Rapids-Eastern Division Source List, and, thereafter, every 65th name must be selected until the end of the Cedar Rapids-Eastern Division Source List is reached.

For the Central Division, the selection must commence with the selection and recording of the 39th name on the Central Division Source List, and, thereafter, every 48th name must be selected until the end of the Central Division Source List is reached.

For the Western Division, the selection must commence with the selection and recording of the 15th name on the Western Division Source List, and, thereafter, every 24th name must be selected until the end of the Western Division Source List is reached.

4. The names of the persons selected and recorded are to be treated as confidential and are neither to be furnished to any other person or organization nor used for any purpose other than for use in refilling this court's Master Jury Wheel under the Jury Selection Plan.

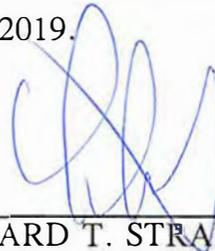
5. After drawing the names as set forth above, the Secretary of State for the State of Iowa must promptly provide to the Clerk of this court the lists of names in the form previously agreed to with the Clerk of this court.

6. The Clerk must then cause questionnaires to be mailed to all names on the lists and is authorized to subcontract the mailing only if appropriate measures are made to protect the confidentiality of the names listed.

7. Prior to refilling the Master Jury Wheel, the Clerk must draw, at random, sufficient names from the existing Qualified Jury Wheel to satisfy the need for jurors in this district while the Master Jury Wheel is being refilled. After the new Master Jury Wheel is filled, the old Master Jury Wheel will be replaced. Upon refilling the new Qualified Jury Wheel, the old Qualified Jury Wheel will be replaced.

IT IS SO ORDERED.

DATED this 7th day of February, 2019.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN RE: CASE ASSIGNMENTS

**PUBLIC
ADMINISTRATIVE ORDER**

No. 19-AO-0001-P
(Supersedes No. 18-AO-0001-P)

Effective March 1, 2019, cases in the Northern District of Iowa will be assigned as follows:

CIVIL CASES

1. With the exception of cases brought under 28 U.S.C. § 2255, civil case assignments will be randomly drawn from the district as a whole without regard to court divisions.
2. 28 U.S.C. § 2255 cases will be assigned to the sentencing judge who handled the underlying criminal case. If the sentencing judge is not available, the case will be assigned randomly to a district judge as any other civil case.
3. 42 U.S.C. § 1983 cases will be assigned evenly between the active district judges and the magistrate judges.

4. All other civil cases will be assigned evenly between the Cedar Rapids senior district judge, the active district judges, and the magistrate judges.

CRIMINAL CASES

5. Criminal cases arising in the Western Division and in the Central Division will be processed and adjudicated at the Sioux City Courthouse and assigned to the active resident district judge.
6. Criminal Cases arising in the Eastern Division and the Cedar Rapids Division will be processed and adjudicated at the Cedar Rapids Courthouse and assigned to the active resident district judge. However, a sufficient number of those Eastern/Cedar Rapids cases will be assigned to the Sioux City active district judge such that after accounting for travel, the Sioux City active district judge will carry 45% of the total number of criminal cases in the district and the Cedar Rapids active district judge will carry 55% of the criminal cases.
7. In criminal case assignments, each magistrate judge is geographically paired with the district judge at the assigned court point.
8. Supervised release proceedings will generally remain assigned to the sentencing judge. If the sentencing judge is not available, then the proceeding will be reassigned by the Clerk's Office. Supervised release proceedings pending at one court point may be reassigned to the resident district judge at that court point even if that judge was not the sentencing judge, or possibly to a district judge at another court point closer to the defendant's residence.

ADDITIONAL PROVISIONS

- 9. The Court reserves the right to transfer cases between the judges at any time to equalize case assignments and in the interest of justice.
- 10. This Order supersedes Administrative Order 18-AO-0001-P.

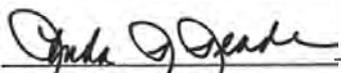
IT IS SO ORDERED this 18th day of January 2019.



LEONARD T. STRAND
Chief Judge
United States District Court
Northern District of Iowa



C.J. WILLIAMS
District Judge
United States District Court
Northern District of Iowa



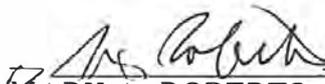
LINDA R. READE
District Judge
United States District Court
Northern District of Iowa



MARK W. BENNETT
District Judge
United States District Court
Northern District of Iowa



KELLY K.E. MAHONEY
Chief Magistrate Judge
United States District Court
Northern District of Iowa



MARK A. ROBERTS
Magistrate Judge
United States District Court
Northern District of Iowa

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
THE HOLIDAY
SCHEDULE FOR FISCAL
YEAR 2019

PUBLIC
ADMINISTRATIVE ORDER

No. 18-AO-0009-P

The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will be closed on **Friday, November 23, 2018** and **Monday, December 24, 2018**. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 4th day of October, 2018.


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
ATTORNEY FEES**

**PUBLIC ADMINISTRATIVE
ORDER**

No. 18-AO-0008-P

With respect to the admission fees for attorneys and the renewal fee for attorneys who are admitted to practice in a district court, the Judicial Conference of the United States provides the following guidance:

- (a) the original attorney admission fee prescribed in the District Court Miscellaneous Fee Schedule, *see generally* 28 U.S.C. § 1914, does not apply to pro hac vice requests in a district or periodic bar membership renewals in a district;
- (b) a district court may charge a local fee above the original attorney admission fee prescribed in the District Court Miscellaneous Fee Schedule;
- (c) a district court may periodically charge a local fee for an attorney who is a member of the bar in the district;
- (d) a district court may charge a local fee for an attorney who is admitted pro hac vice in the district; and
- (e) local fees collected by a district court may be deposited into a district court's

Library Fund for the benefit of the bench and bar in the administration of justice.

See Guide to Judiciary Policy, Vol. 4, Ch. 6, § 670.

Given its authority to charge local fees, the court directs the clerk of court to collect:

- (a) \$181.00 for original admission of an attorney to practice in this district (original admission fee) (\$181.00 is to be deposited into the United States Treasury), *see* Local Rule 83(c)¹;
- (b) \$25.00 for annual renewal of an attorney's membership in the court's bar (local annual renewal fee) (\$25.00 is to be paid by March 1 of each year, and it is to be deposited into the court's Library Fund), *see* Local Rule 83(c)(4)²;
- (c) \$100.00 for pro hac vice admission of an attorney who is participating in a civil case in this district (local pro hac vice fee) (\$100.00 is to be deposited into the court's Library Fund), *see* Local Rule 83(d).

The local annual renewal fee as set forth above is effective January 1, 2019. The local pro hac vice fee as set forth above is effective as of the date of this public administrative order.

¹ In the year that an attorney becomes a member of the bar in this district, such attorney is only required to pay the original admission fee, that is, no local annual renewal fee as set forth in (b) will be collected by the clerk of court in such year.

² Prior to 2019, the Northern District of Iowa and the Southern District of Iowa collected a biannual fee of \$50.00. Pursuant to Local Rule 83(c)(4), an attorney who is a member of the bar in this district is required to pay a local annual renewal fee of \$25.00 to remain in good standing, and, if such attorney is also a member of the bar in the Southern District of Iowa, he or she is required to pay a separate local annual renewal fee of \$25.00 to remain in good standing.

IT IS SO ORDERED.

DATED this 2nd day of October, 2018.



**LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

APPOINTMENT OF
UNITED STATES
MAGISTRATE JUDGE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 18-AO-0007-P

In accordance with the authority conferred by 28 U.S.C. § 631, et. seq., and the further authority and action taken by the Judicial Conference of the United States,

IT IS HEREBY ORDERED that Mark A. Roberts be and is hereby appointed as full-time United States Magistrate Judge for the Northern District of Iowa with his official duty station at Cedar Rapids, Iowa.

Magistrate Judge Mark A. Roberts shall enter upon the performance of his duties at 08:00 A.M. on the 17th day of September, 2018, but prior to the commencement of such duties, he shall take the oath or affirmation prescribed by 28 U.S.C. § 453 and § 631(g).

Magistrate Judge Mark A. Roberts shall hold and discharge the duties of his office for a term of eight (8) years from the date of his appointment subject to the provisions of 28 U.S.C. § 631(i), unless sooner removed.

Magistrate Judge Mark A. Roberts shall have the powers, authority and jurisdiction to perform all duties within the Northern District of Iowa which are conferred and imposed by law upon United States Magistrate Judges.

IT IS FURTHER ORDERED that Magistrate Judge Mark A. Roberts is hereby specifically designated to try persons accused of and sentence persons convicted of minor

offenses as defined by 18 U.S.C. § 3401.

The Clerk will cause certified copies of this Order to be published and shall likewise forward a certified copy of this Order to the Director of the Administrative Office of the United States Courts, as required by 28 U.S.C. § 631(h).

IT IS SO ORDERED.

DATED this 11th day of September, 2018.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

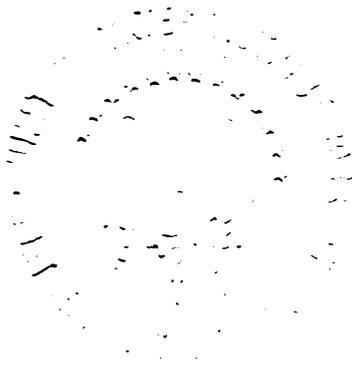
Certified original placed in Public Administrative Order Book.

Copies disbursed this 11th day of September, 2018 via email to:

- Chambers of Chief Judge Leonard T. Strand
- Judge Linda R. Reade
- Chambers of Judge Linda R. Reade
- Chambers of Judge Mark W. Bennett
- Chambers of Judge C.J. Williams
- Chambers of Chief Magistrate Judge Kelly K.E. Mahoney
- Mark A. Roberts
- Robert Phelps, Clerk of District Court
- Paul DeYoung, Chief Deputy
- Kim Schwartz, Deputy in Charge
- Bryan Woodward for posting on the external NDIA web-site



Andrea Freeman
Administrative Assistant



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

APPOINTMENT OF
CHIEF MAGISTRATE
JUDGE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 18-AO-0006-P

The Honorable Kelly K.E. Mahoney is hereby designated Chief Magistrate Judge for the United States District Court for the Northern District of Iowa, effective September 11, 2018.

IT IS SO ORDERED.

DATED this 11th day of September, 2018.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

AMENDED LOCAL RULE
83 EFFECTIVE AUGUST
15, 2018

PUBLIC
ADMINISTRATIVE ORDER

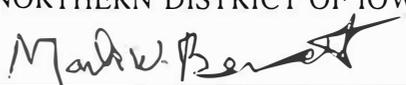
No. 18-AO-0005-P
(Amends No. 17-AO-0003-P)

The changes to Local Rule 83, which the court published on the court's website and are attached to this order, are hereby adopted. The Local Rules for the Northern District of Iowa as amended are effective August 15, 2018.

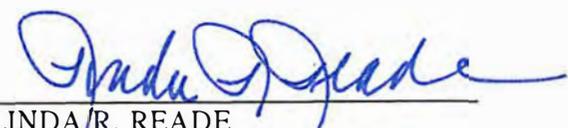
IT IS SO ORDERED.

DATED this 8th day of August, 2018.


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


KELLY K.E. MAHONEY
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


LINDA R. READE
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


C.J. WILLIAMS
CHIEF MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

LR 83 LAWYERS

a. **Roll of Lawyers.** The bar of each court consists of counsel admitted to practice before the court who have taken the oath or affirmation prescribed by the rules in force when they were admitted.

b. **Qualifications for Admission and Practice.**

Admission to the Bar. A lawyer is qualified for admission to the bar of the district if the lawyer is currently in good standing as a lawyer admitted to practice in the state courts of Iowa. A lawyer who is a government lawyer, a Federal Public Defender, or an Assistant Federal Public Defender, and who is permanently stationed in the state of Iowa, may be admitted to the bar of this court if the lawyer is currently a member in good standing of the bar of any United States District Court or the highest court of any state, territory, or insular possession of the United States. Once admitted to the bar of the district, every lawyer, in order to maintain standing to practice in the district, must pay an annual fee per district as further described in (c)(4). A lawyer who fails to comply with the requirements of this subsection may be suspended from practice in the court by the Chief Judge of the district until the requirements are met.

c. **Procedure for Admission and Proof of Qualifications.**

1. **Applications.** An applicant for admission must send to the Clerk of Court a verified petition setting forth the items of information specified on the official form available on the courts' websites. Upon the filing of a petition showing compliance with this rule, and the payment of the prescribed admission fee, the taking of the oath hereinafter prescribed, and the entry of an order of admission by the court, the Clerk of Court will issue to the petitioner a certification of admission to the bar of the district court.
2. **Documents to Accompany the Verified Petition.** Along with the verified petition for admission, the applicant also must deliver to the Clerk of Court the following:
 - A. A completed and signed lawyer registration form for registration in the ECF system (this form is appended to the ECF Procedures manual, and may be found on the courts' websites); and
 - B. Any other documentation required by the court for registration in the ECF system, as described in the ECF Procedures Manual.
3. **Open Court.** With leave of court, lawyers eligible for admission under this rule may be admitted to practice upon motion in open court by any member of the bar of the court to which admission is sought after a satisfactory showing of good moral character of the applicant, taking the oath hereinafter prescribed, and paying to the Clerk of Court the prescribed admission fee.

4. **Fees.** The prescribed admission fee must be paid to the Clerk of Court before admission. In addition, the annual fee must be paid directly to the district or districts in which the lawyer is admitted. A lawyer admitted in both districts is required to pay the annual district fees in each of the districts. Any such fee, and any portion of the pro hac vice fee retained by the district court, will be collected by the Clerk of Court, placed to the credit of a district fund, and administered in such a manner as is consistent with the law and as the court may direct.
5. **Oath of Admission.** I, _____, do solemnly swear or affirm that, an attorney and as a counsel of this court, I will conduct myself uprightly and according to law, and that I will support the Constitution of the United States.

d. Appearance and Withdrawal.

1. **Who May Appear Generally.** Only a member of the bar of the district may appear as a lawyer in the courts of the district, except where pro hac vice appearance is permitted by the court, where a Federal Public Defender or an Assistant Federal Public Defender from another district appears for a defendant or witness in a criminal case, or where a government lawyer appears for the United States.
2. **Appearance in Criminal Case by Lawyer Who Is Not a Member of the Bar of the District.** A lawyer who is not a member of the bar of the district must, before appearing in a criminal case, file a motion to appear pro hac vice on a form available on the courts' websites. This rule in no manner limits the right of a defendant in a pending criminal case to employ and be represented by counsel of the defendant's own selection, provided such counsel is a member in good standing of the bar of a state of the United States or of a United States court and has not been convicted of a felony, suspended, or disbarred, as provided in subsection (f)(5) of this rule. A lawyer appearing pro hac vice in a criminal case is not required to comply with the associate counsel requirements contained in subsection (d)(4) of this rule, and is not required to pay a pro hac vice admission fee. However, a lawyer appearing pro hac vice in a criminal case is required to register in the court's ECF system. (*See* subsection (d)(3)(C) of this rule).
3. **Pro Hac Vice Admission.** A lawyer who is not a member of the bar of the district may be admitted to practice in a particular case pro hac vice by filing a motion asking to be admitted pro hac vice. By asking to be admitted pro hac vice, the lawyer agrees that in connection with the lawyer's pro hac vice representation, the lawyer will submit to and comply with all provisions and requirements of the Iowa Rules of Professional Conduct, or any successor code adopted by the Iowa Supreme Court. Full instructions are available on the courts' websites.
 - A. **Motion.** To be admitted pro hac vice, a lawyer must file a motion to appear pro hac vice on the form available on the courts' websites.

B. Civil Cases. A lawyer who files a motion for admission pro hac vice in a civil case must submit contemporaneously to the Clerk of Court the following:

1. The prescribed pro hac vice admission fee;
2. A completed and signed lawyer registration form for the ECF system (this form is appended to the ECF Procedures Manual and may be found on the courts' websites); and
3. Any other documentation required by the court for registration in the ECF system, as described in the ECF Procedures Manual.

If a lawyer files a motion for admission pro hac vice in a civil case and the motion is granted, and the Clerk of Court does not receive the documentation required for registration in the ECF system within 14 days after the filing of the motion, the court may enter an order revoking the admission pro hac vice.

C. Criminal Cases. A lawyer who files a motion for admission pro hac vice in a criminal case must submit contemporaneously to the Clerk of Court the following:

1. A completed and signed lawyer registration form for the ECF system (this form is appended to the ECF Procedures Manual and may be found on the courts' websites); and
2. Any other documentation required by the court for registration in the ECF system, as described in the ECF Procedures Manual.

If a lawyer files a motion for admission pro hac vice in a criminal case and the motion is granted, and the Clerk of Court does not receive the documentation required for registration in the ECF system within 14 days after the filing of the motion, the court may enter an order revoking the admission pro hac vice.

4. **Associate Counsel Requirement.** Except parties proceeding pro se or lawyers appearing in criminal cases and complying with the requirements of subsection (d)(2) of this rule, any lawyer who is not qualified to practice under section (b) of this rule must, in each proceeding in which the lawyer appears, associate with counsel who is so qualified. The qualified associate counsel must enter a written appearance with his or her name, law firm, office address, telephone number, facsimile number, and e-mail address, which will be entered of record. Thereafter, all materials required to be served upon the nonqualified lawyer also must be served upon the qualified associate counsel.

A lawyer not qualified to practice under section (b) or subsection (d)(2) of this rule must not file any document unless, at the time of the filing, qualified associate counsel has entered a written appearance on behalf of the party represented by the nonqualified lawyer and has signed the document.

5. Form of Appearance. Any lawyer representing a party in any action or proceeding who did not sign the first pleading filed on behalf of the party must file with the Clerk of Court a separate “notice of appearance.” The notice must clearly reflect the lawyer’s name, law firm, office address, telephone number, facsimile number, e-mail address, and the name of the party for whom appearance is made. If more than one lawyer has appeared on behalf of a party, the notice must identify the lead counsel. Lawyers who have appeared are responsible for informing the court of any changes in this information with respect to all cases in which they have appeared.

6. Withdrawal Procedure. A lawyer who has appeared of record in a case and desires to withdraw from representation of a party is not relieved of his or her duties to the court, to the client, or to opposing counsel until one of the following is satisfied: **(A)** another lawyer has appeared of record for the client, and the withdrawing lawyer has filed a notice of withdrawal with the Clerk of Court and has served the notice on opposing counsel and the client; or **(B)** the withdrawing lawyer has filed a motion to withdraw with the Clerk of Court, has served the motion on opposing counsel and the client, and has received leave of court to withdraw for good cause shown.

A motion to withdraw must indicate the trial date and must contain a list of all pending motions and the dates on which they were filed.

e. Courtroom Decorum. Counsel in the courtroom must conduct themselves with dignity and propriety. Unless excused by the court, counsel must stand when addressing the court or the jury. Examination of witnesses must be conducted from counsel table or a lectern, except when it is necessary to approach a witness, court clerk, or exhibit table for the purpose of presenting or examining exhibits. Counsel must not approach a witness or the bench unless the court requests or counsel obtains permission from the court.

f. Rules of Conduct and Disciplinary Procedures.

1. Applicability of Iowa Rules of Professional Conduct. The Iowa Rules of Professional Conduct, or any successor code adopted by the Iowa Supreme Court, govern all members of the bar of this court and, to the extent provided in subsection (d)(3) of this rule, those admitted pro hac vice. A violation of the standards established in those rules of conduct is “misconduct” for purposes of this section.

2. Lawyer Discipline. Any member of the bar of this court and any lawyer admitted pro hac vice may, for good cause shown after an opportunity to be heard in accordance with the disciplinary procedures prescribed in this subsection, be disbarred in this court, suspended from practice before this court for a definite or

indefinite time, reprimanded, or subjected to such other discipline as the court may deem proper. These procedures apply only to proceedings that have as their primary purpose the discipline of a lawyer for misconduct, and do not limit the court's authority to order sanctions or other remedies as permitted by law.

3. **Disciplinary Proceedings.** When a member of the bar of this court or a lawyer admitted pro hac vice allegedly engages in misconduct and the alleged misconduct comes to the attention of the court, the court may initiate informal or formal disciplinary proceedings against the lawyer (the "respondent lawyer") under this subsection.

A. **Payment of Expenses.** Any expenses incurred in the furtherance of either formal or informal disciplinary proceedings shall be paid from the Attorney Admission Fee Fund.

B. **Informal Disciplinary Proceedings.** A federal judge may initiate and conduct informal disciplinary proceedings in any appropriate manner, including by the entry of orders (including show cause orders), the conducting of hearings, and the imposition of sanctions. A lawyer will not be suspended or disbarred from practice before this court as a result of informal disciplinary proceedings.

C. **Formal Disciplinary Proceedings.** A federal judge may initiate formal disciplinary proceedings by asking the Chief Judge of the district where allegations of misconduct arise to order the appointment of a special counsel to investigate and report to the Chief Judge on the allegations. The Chief Judge may appoint a special counsel, or may, in his or her discretion, defer formal disciplinary proceedings pending the results of disciplinary proceedings in a state or another federal jurisdiction. In an order appointing a special counsel under this subsection, the Chief Judge may specify any special authority the special counsel is authorized to exercise in the conduct of the investigation, such as, for example, the power to issue subpoenas for depositions and documents and the power to require a respondent lawyer to respond to written interrogatories.

1. **Investigation and Report.** The special counsel is to investigate the allegations and make a written report to the Chief Judge which includes the following: (a) a history and factual background of the allegations; (b) a recommendation as to whether there is or is not probable cause to support the allegations; and (c) the reasons for the recommendation. The special counsel also may make recommendations concerning the disposition of the allegations.

2. **Determination by Chief Judge.** After reviewing the report of the special counsel, the Chief Judge will determine whether formal

disciplinary proceedings should or should not be continued against the respondent lawyer. If the Chief Judge determines formal disciplinary proceedings should not be continued, and the respondent lawyer has been given notice of the referral of the allegations of misconduct to a special counsel, then the respondent lawyer will be notified by the Clerk of Court that formal proceedings will not be continued. If the Chief Judge determines formal disciplinary proceedings should be continued, the Chief Judge will issue a show cause order notifying the respondent lawyer of the misconduct alleged and the probable cause finding of the special counsel and directing the respondent lawyer to show cause within 30 days why the respondent lawyer should not be disciplined.

3. **Service.** The Clerk of Court will have the show cause order served on the respondent lawyer by personal service or by registered or certified mail sent to the respondent lawyer's last known address according to the Clerk of Court's records.
4. **Default.** If the respondent lawyer fails to respond within the time required, the Chief Judge may order any proper discipline.
5. **Proceedings after Answer.** If the respondent lawyer files an answer to the show cause order, and (a) raises an issue of fact, or (b) includes in the answer a request to be heard, the Chief Judge will set the matter for prompt hearing before a panel of three federal judges appointed by the Chief Judge. The panel will not include any judge before whom the alleged misconduct occurred.

The panel will prescribe such procedures as are necessary to hear and decide the issues raised in the show cause order or answer. The panel will issue a final order. If the final order contains a finding of misconduct, the order will provide for any discipline to be imposed on the respondent lawyer.

6. **Delegation by Chief Judge.** In any disciplinary proceeding brought under section (f) of this rule, including a formal disciplinary proceeding initiated by the Chief Judge under subsection (f)(3)(C) of this rule, the Chief Judge may delegate any function assigned to the Chief Judge under these rules to another district court judge.
4. **Sealing of Documents.** A final order entered in a formal disciplinary proceeding that contains a finding of misconduct will be filed in the public record unless the members of the panel unanimously order that it be filed under seal. Any other

document filed in connection with a formal disciplinary proceeding must be filed under seal, and will remain sealed until such time as an order unsealing the document is entered by one of the judges on the panel.

- 5. Felony Conviction; Suspension or Disbarment in Another Court.** If a member of the bar of this court or a lawyer admitted to practice pro hac vice is convicted of a felony or is suspended or disbarred from practicing in any federal or state court, the lawyer must notify the Clerk of Court immediately of the conviction, suspension, or disbarment. Thereafter, the lawyer will be suspended or disbarred from practice before this court unless the lawyer, with 14 days after the Clerk of Court has mailed notice to the lawyer's last known mailing address, shows good cause why such action should not be taken.

Any person who, before admission to the bar of this court or during disbarment or suspension from practice in any federal or state court, and without specific leave of this court, exercises any of the privileges of a member of the bar of this court in any action or proceeding pending in the Northern or Southern Districts of Iowa, or pretends to be entitled to do so, is guilty of contempt of court and is thereby subject to appropriate punishment.

The procedures provided in subsection (f)(3) of this rule do not apply to matters arising under this subsection.

- g. Dereliction of Counsel.** When a case has been dismissed because of inexcusable neglect or other dereliction of counsel, the court may impose such sanctions upon counsel as the court deems appropriate, including those provided in section (f) of this rule.

- h. Law Student Practice.** With permission of the presiding judge, and under such restrictions as the presiding judge may impose, a law student enrolled in a reputable law school as defined in Iowa Supreme Court Rule 31.8 and Iowa Code § 602.10102 may appear as counsel before the court under the following conditions:

- 1. Certification.** The dean of the law school must certify to the court that the student has completed at least three semesters of the work required by the school to qualify for a J.D. or an equivalent degree;
- 2. Supervision.** The student's appearance must be under the direct supervision of a lawyer admitted to practice before this court who is personally present and has appeared of record in the case; and
- 3. Compensation.** The student must not receive compensation for a court appearance, but this prohibition does not prevent a student from receiving general compensation from an employer-lawyer or from a source of funds unrelated to the case or the parties. Nothing in this rule prevents the court from awarding reasonable attorney fees under an appropriate statute for a student's work as long as the student does not receive any of the fee.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN RE WEAPONS IN THE
COURTHOUSES OF THE
NORTHERN DISTRICT OF IOWA**

**PUBLIC
ADMINISTRATIVE ORDER**

**No. 18-AO-0004-P
(Supersedes No. 17-AO-0009-P)**

No person is permitted to possess any weapon in a federal court facility in the Northern District of Iowa, other than as specifically provided below.

The following persons may possess a weapon in a federal court facility in the Northern District of Iowa:

1. The United States Marshal, Deputy United States Marshals, United States Probation Officers, Court Security Officers, and Federal Protective Service Officers.
2. Law enforcement personnel who are permanent tenants of the courthouse, except those identified in paragraph 1, are authorized to carry firearms directly to/from the agency office within that courthouse. Such personnel are authorized to carry their firearm so long as the firearm is concealed. However, such personnel are expressly prohibited from carrying their firearm into a courtroom or into any judge's chambers.
3. Non-tenant federal, state, and local law enforcement officers otherwise authorized to carry a firearm shall store their weapons in the secure gun lockers in the lobby of the courthouse immediately upon entering the courthouse.
4. Weapons that will be offered as an exhibit in any court proceeding may only be brought into the courthouse if first inspected and rendered safe to the satisfaction of the United States Marshal or his representative and immediately transported to a private tenant's space for safe storage prior to use in a court proceeding. Any such

weapon(s) may not be taken into a courtroom unless the lawyer or pro se party responsible for the exhibit has first: (1) notified any federal judge presiding over the proceeding; (2) notified the United States Marshal's office; and (3) taken all reasonable measures to render the exhibit as safe as possible and to disable any such weapon.

5. Law enforcement officers, correctional officers, or agents, other than those identified in paragraph 1, having custody of or transporting a prisoner to or from a federal court facility, but such officers and agents may not possess weapons in a courtroom or in a judge's chambers.

6. Courthouse tenants and contractors are permitted to possess any tools of the trade that may otherwise be prohibited by this policy, and are necessary to the performance of their duties or required to perform maintenance in or on the federal court facility. However, this exception does not authorize the possession of any firearm or ammunition in the federal court facility.

7. Other persons specifically authorized by the United States Marshal or his representative.

8. This Order shall not apply to any law enforcement officer responding to an emergency or to a call for assistance from within the courthouse.

Definitions

As used herein, the term "federal court facility" means any facility, building, or structure designated as the location at which federal court proceedings are to be conducted, as well as all property appurtenant to such facility, building, or structure.

As used herein, the term "weapon" includes:

- a. Any handgun, rifle, or shotgun, or weapon made therefrom;
- b. Any weapon (including a starter gun or antique firearm) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; or any destructive device;

- c. Any device or instrument designed to use an electrical discharge to harm, stun, or incapacitate.
- d. Ammunition as defined by 18 U.S.C. § 921(a)(17)(A);
- e. Any “destructive device”—meaning any explosive, incendiary, or poison gas, including a bomb, grenade, rocket having a propellant charge of more than four ounces, or missile having an explosive or incendiary charge of more than one-quarter ounce;
- f. A tear gas canister, mace container, Cap-Stun, mace, pepper spray, tear gas, spray paint, or other dangerous or poisonous gas or gas container;
- g. A knife, razor, ax, hatchet, bow and arrow, ice axe/pick, throwing star, sabre, sword, box cutter, utility knife, or other dangerous cutting or sharp instrument;
- h. A device, instrument, material, or substance, animate or inanimate, that is used for, or is capable of, causing death or injury;
- i. Any item which, while not operational as a weapon, is designed to appear or appears as a weapon, or which may be used to intimidate or to simulate a weapon;
- j. Any BB or pellet gun, compressed air gun, antique firearm, flare gun, spear gun, dart gun, or slingshot;
- k. Any billy club, blackjack, brass knuckles, night stick, martial arts weapon such as nun chucks or a kubaton; and
- l. Any device or instrument designed or redesigned for use as a weapon or dangerous instrument, or combination of parts which may be readily assembled into a weapon or dangerous instrument.

In addition to any other federal or state statutes, failure to comply with this Order is punishable by criminal contempt under 18 U.S.C. § 401, by fine or imprisonment or both.

This Order is effective immediately.

IT IS SO ORDERED this 4th day of April, 2018.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



LINDA R. READE
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



C.J. WILLIAMS
CHIEF MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



KELLY K.E. MAHONEY
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
MAGISTRATE JUDGE SELECTION
PANEL**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 18-AO-0003-P

In anticipation of the appointment of Chief Magistrate Judge C.J. Williams as a United States District Court Judge in Cedar Rapids, Iowa, the United States District Court for the Northern District of Iowa appoints the following Merit Selection Panel to recommend five names to the district court judges for the appointment of a new magistrate judge with his/her duty station in Cedar Rapids, Iowa. The panel must report to the district court within 90 days of its appointment unless otherwise directed by the district court. The following persons are appointed as the Merit Selection Panel:

1. Jeana L. Goosmann, Esq. – Chair – Sioux City
2. Jill M. Johnston, Esq. – Cedar Rapids
3. Henry J. Bevel III, Esq. – Waterloo
4. Frances M. Haas, Esq. – Cedar Rapids
5. Stuart Cochrane, Esq. – Fort Dodge
6. Sean R. Berry, Esq. – Cedar Rapids
7. Greg M. Lederer, Esq. – Cedar Rapids
8. Michael K. Lahammer, Esq. – Cedar Rapids
9. Emily Hughes, Esq. – Iowa City

10. LaNisha Cassell, Community Member – Cedar Rapids
11. John C. Gray, Esq. – Sioux City
12. Stacey Walker, Community Member – Cedar Rapids
13. Elizabeth L. Kutter, Community Member – Cedar Rapids

IT IS SO ORDERED.

DATED this 21st day of February, 2018.



Leonard T. Strand, Chief Judge
United States District Court
Northern District of Iowa

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
AND THE DISTRICT OF SOUTH DAKOTA**

**IN RE: EXERCISE OF ADJOINING
DISTRICT JURISDICTION BY
UNITED STATES MAGISTRATE
JUDGES**

**Northern District of Iowa
PUBLIC
ADMINISTRATIVE ORDER**

**No. 18-AO-0002-P
District of South Dakota
STANDING ORDER**

No. 18-01

Pursuant to 28 U.S.C. §631(a), and in accordance with actions taken by the
Judicial Conference of the United States,

IT IS ORDERED that the full time and recalled magistrate judges in the Northern
District of Iowa are authorized to serve in the adjoining District of South Dakota, and the
full time and recalled magistrate judges in the District of South Dakota are authorized to
serve in the adjoining Northern District of Iowa.

This authorization being given for the purpose of carrying out any of the duties of magistrate judges specified in 28 U.S.C., 18 U.S.C., and the Local Rules and administrative or general orders of the Northern District of Iowa and the District of South Dakota and is made by concurrence of a majority of the judges of each of the district courts involved.

IT IS SO ORDERED this 16th day of January, 2018.



LEONARD T. STRAND
Chief Judge
United States District Court
Northern District of Iowa



JEFFREY L. VIKEN
Chief Judge
United States District Court
District of South Dakota

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN RE: CASE ASSIGNMENTS

**PUBLIC
ADMINISTRATIVE ORDER**

No. 18-AO-0001-P
(Supersedes No. 17-AO-0007-P)

Effective immediately, cases in the Northern District of Iowa will be assigned as follows:

CIVIL CASES

1. With the exception of cases brought under 28 U.S.C. § 2255, civil case assignments will be randomly drawn from the district as a whole without regard to court divisions.
2. 28 U.S.C. § 2255 cases will be assigned to the sentencing judge who handled the underlying criminal case. If the sentencing judge is not available, the case will be assigned randomly to a district judge as any other civil case.
3. 42 U.S.C. § 1983 cases will be assigned evenly between the active district judge, the Cedar Rapids senior district judge, and the magistrate judges.
4. Social Security cases will be assigned evenly between the active district judge, the Cedar Rapids senior district judge, and the magistrate judges.
5. All other civil cases will be assigned as follows: 10% to the Sioux City senior district judge, 15% to the Cedar Rapids senior district judge, and 25% each to the active district judge and two magistrate judges.

CRIMINAL CASES

6. Criminal cases arising in the Western Division and in Emmet, Palo Alto, Pocahontas, Calhoun, Carroll, Kossuth, Humboldt and Webster counties in the Central Division will be processed and adjudicated at the Sioux City Courthouse and assigned to those resident district judges in the following manner: Sioux City active district judge 75% and Sioux City senior district judge 25%.

7. Criminal Cases arising in the Eastern Division, Cedar Rapids Division and Winnebago, Hancock, Wright, Hamilton, Worth, Cerro Gordo, Franklin and Butler counties in the Central Division will be processed and adjudicated at the Cedar Rapids Courthouse and assigned to the Cedar Rapids senior district judge. However, a sufficient number of those cases will be assigned to the Sioux City active district judge such that, after excluding criminal cases that are assigned to the Sioux City senior district judge, the Sioux City active district judge will carry 50% of the total number of criminal cases in the district and the Cedar Rapids senior district judge will carry 50% of the criminal cases in the district.

8. In criminal case assignments, each resident magistrate judge is paired with the resident district judge at the same court point.

9. Supervised release proceedings will generally remain assigned to the sentencing judge. If the sentencing judge is not available then the proceeding will be reassigned by the Clerk's Office. Furthermore, 75% of supervised release proceedings arising from sentencing proceedings by the Sioux City senior district judge will be reassigned to the Sioux City active district judge. Supervised release proceedings pending at one court point may be reassigned to a resident district judge at that court point even if that judge was not the sentencing judge, or possibly to a district judge at another court point closer to the defendant's residence.

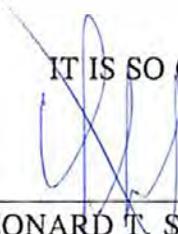
ADDITIONAL PROVISIONS

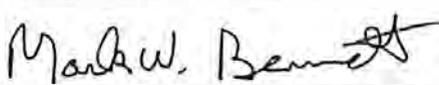
10. The Clerk of Court will create a statistical report of civil case filings and assignments and criminal case filings, defendant count, and assignments on January 1,

April 1, July 1 and October 1 of each year. The report will be promptly sent to each active district judge and senior district judge, along with a recommendation for addressing uneven case distributions. Among other things, the Clerk's recommendations shall address any significant disparities between the number of defendants in criminal cases assigned to the Sioux City active district judge and the number of defendants in criminal cases assigned to the Cedar Rapids senior district judge. The Chief District Judge will instruct the Clerk if any action is to be taken to equalize the case assignments based on the report.

11. The Court reserves the right to transfer cases between the judges at any time to equalize case assignments and in the interest of justice.
12. This Order supersedes Administrative Order 17-AO-0007-P.

IT IS SO ORDERED this 10 day of January, 2018.


LEONARD T. STRAND
Chief Judge
United States District Court
Northern District of Iowa


MARK W. BENNETT
District Judge
United States District Court
Northern District of Iowa


KELLY K.E. MAHONEY
Magistrate Judge
United States District Court
Northern District of Iowa


LINDA R. READE
District Judge
United States District Court
Northern District of Iowa


C.J. WILLIAMS
Chief Magistrate Judge
United States District Court
Northern District of Iowa

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
FORFEITURE OF COLLATERAL
SCHEDULE FOR THE UNITED
STATES POSTAL SERVICE
AND THE UNITED STATES
POSTAL INSPECTION SERVICE,**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 17-AO-0016-P

IT IS HEREBY ORDERED that pursuant to Federal Rule of Criminal Procedure 58(d) and Local Criminal Rule 58, the attached Forfeiture of Collateral Schedule is hereby adopted and that any person charged with violating an offense listed in the attached Forfeiture of Collateral Schedule for the United States Postal Service OIG and the United States Postal Inspection Service may, in lieu of appearance, post collateral in the amount indicated for the offense and consent to forfeiture of collateral or be required to appear for offenses as indicated in the new Forfeiture of Collateral Schedule.

IT IS THEREFORE FURTHER ORDERED:

1. That the Magistrate Judge may depart from the schedule established by this Order in his or her discretion based upon the circumstances of the case and the defendant's resources and ability to pay.

2. That anyone charged with a violation of any of the scheduled offenses may, within ten (10) days after being so charged, dispose of the matter by sending the appropriate payment to the Clerk of the United States District Court for the Northern District of Iowa at Cedar Rapids, Iowa.

3. That if the scheduled payment is not paid by the person charged with a scheduled offense within ten (10) days, the matter may be set for hearing before a United States Magistrate Judge for the Northern District of Iowa.

4. If a person charged with a scheduled offense under this Order fails to post and forfeit collateral, any punishment, including fine or probation, may be imposed within the limits established by law upon conviction by plea or after trial.

5. Nothing contained in this Order prohibits a law enforcement officer from arresting anyone for the commission of any offense, including those for which collateral may be posted before a United States Magistrate Judge, or upon arrest, taking them immediately before a United States Magistrate Judge. Existence of this Order does not create any rights on the part of an alleged violator and does not preclude the United States from taking any other action authorized by law.

6. That the United States Magistrate Judges, for, or designated to exercise judicial authority in, the Northern District of Iowa, are hereby specifically authorized to try persons accused of the offenses scheduled herein, in accordance with the rules of procedure for the United States Magistrate Judges adopted by the Supreme Court of the United States.

7. That the Clerk of the United States District Court is directed to institute an appropriate collateral forfeiture procedure wherein persons may dispose of the offense(s) charged by mailing in a sum equivalent to the penalty established in this Order.

Nothing contained in this Order prevents an officer from requiring a mandatory court appearance by a person charged with any of the offenses scheduled herein when, in the judgment of the officer, the cash payment provided for the offense is inappropriate considering the circumstances surrounding the alleged offense.

IT IS FURTHER ORDERED that this Order will take effect on December 20, 2017.

Dated December 20, 2017.



LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**UNITED STATES POSTAL SERVICE
and
UNITED STATES POSTAL INSPECTION SERVICE**

Citation Offense	Description of Offense	Collateral Forfeiture Amount or Mandatory Appearance
18 U.S.C. § 1693	Carriage of mail generally	\$250
18 U.S.C. § 1694	Carriage of matter out of mail over postal routes	\$150
18 U.S.C. § 1695	Carriage of matter out of mail on vessels	\$250
18 U.S.C. § 1696 (a) and (b)	Private Express for letters and packets	\$250
18 U.S.C. § 1697	Transportation of persons acting as private express	\$150
18 U.S.C. § 1698	Prompt delivery of mail from vessel	\$150
18 U.S.C. § 1699	Certification of delivery from vessel	\$150
18 U.S.C. & 1700	Desertion of mail	\$500
18 U.S.C. § 1701	Obstruction of mails generally	M.A.
18 U.S.C. § 1703(b)	Delay or destruction of mail or newspapers	\$500
18 U.S.C. § 1707	Theft of property used by the Postal Service	M.A.
18 U.S.C. 1710	Theft of newspapers	\$500
18 U.S.C. § 1711 (not more than \$1,000 in loss)	Misappropriation of postal funds	M.A.
18 U.S.C. § 1713	Issuance of money orders without payment	\$150
18 U.S.C. § 1716U)(1)	Injurious articles as non-mailable	M.A.
18 U.S.C. § 1716A (a) and (b)	Non-mailable locksmithing devices and motor vehicle master keys	M.A.
18 U.S.C. 1716B	Non-mailable plants	M.A.
18 U.S.C. § 1716C	Forged agricultural certifications	M.A.
18 U.S.C. § 1716D	Non-mailable injurious animals, plant pests, plants, and illegally taken fish, wildlife, and plants	M.A.
18 U.S.C. § 1719	Franking privilege	\$150

18 U.S.C. § 1720 (non-employee only)	Canceled stamps and envelopes	M.A.
18 U.S.C. 1721	Sale or pledge of stamps	M.A.
18 U.S.C. § 1722	False evidence to secure second-class rate	\$150
18 U.S.C. § 1723	Avoidance of postage by using lower class matter	\$150
18 U.S.C. § 1725	Postage unpaid on deposited mail matter	\$150
18 U.S.C. 1726	Postage collected unlawfully	\$350
18 U.S.C. § 1729	Post office conducted without authority	\$150
18 U.S.C. 1730	Uniforms of carriers	\$350
18 U.S.C. § 1731	Vehicles falsely labeled as carriers	\$350
18 U.S.C. § 1732	Approval of bond or securities by postmaster	M.A.
18 U.S.C. § 1733	Mailing periodical publications without payment of postage	M.A.
18 U.S.C. § 1734	Editorials and other matter as "advertisements"	\$150
18 U.S.C. § 1920 (not more than \$1,000 in loss)	False Statement or fraud to Obtain Federal Employees compensation	M.A.
21 U.S.C. § 844(a)	Possession of controlled substance - marijuana	\$150
21 U.S.C. § 844(a)	Possession of controlled substance - anything other than marijuana (e.g., methamphetamine)	\$500 (strongly consider M.A.)
39 CFR § 232.1	Conduct on postal property (All violations under this section)	\$250

Note: Only misdemeanors may be written on CVB citations. Any misdemeanor not on the CVB schedule should be written as a mandatory appearance citation (M.A.) or arrest where appropriate.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN RE DIRECT ASSIGNMENT OF
CIVIL CASES TO FULL-TIME
UNITED STATES MAGISTRATE
JUDGES**

**PUBLIC
ADMINISTRATIVE ORDER
No. 17-AO-0015-P**

INTRODUCTION

The United States District Court for the Northern District of Iowa institutes this Direct Assignment Program (the “Program”) for the direct assignment of civil cases to the full-time Magistrate Judges to conduct any and all proceedings in jury and non-jury civil actions and order the entry of judgment under 28 U.S.C. § 636(c). The Magistrate Judges have further been designated, in accordance with 28 U.S.C. § 636(c), to enter final judgment in consent cases. The Magistrate Judges of this district may only exercise these powers upon consent of all parties. In such consent cases, an appeal from a judgment entered by a Magistrate Judge of this District may be taken directly to the United States Court of Appeals for the Eighth Circuit in the same manner as an appeal from any other judgment of a district court.

GENERAL OBJECTIVE

The objective of the Program is to maximize judicial resources within the Northern District of Iowa by recognizing the full extent of Magistrate Judge jurisdiction under 28 U.S.C. § 636 in civil cases to “secure the just, speedy, and inexpensive determination of every action and proceeding” consistent with Rule 1 of the Federal Rules of Civil Procedure. Because District Judges are responsible for presiding over felony criminal

matters, the trial dockets of Magistrate Judges are generally less crowded. Thus, Magistrate Judges may be able to provide earlier and more firm trial dates resulting in the efficient use of resources for both litigants and the judiciary. The Program also recognizes the high quality of the Magistrate Judges chosen to serve in the Northern District of Iowa, as reflected by their appointment following a highly competitive and thorough merit selection process. For all cases assigned to a District Judge, a Magistrate Judge will be randomly assigned to hear matters referred by the assigned District Judge pursuant to 28 U.S.C. § 636(b), Federal Rule of Civil Procedure 72, and the Local Rules.

ASSIGNMENT OF CIVIL CASES

Effective January 1, 2018, both full-time Magistrate Judges will be included in the random assignment of civil cases as approved by the Court in a public administrative order. The specific percentage of cases referred will be set by the District Judges and may be changed from time to time at their discretion.

The Clerk of Court will use the same method of randomly selecting civil cases for referral to the Magistrate Judges as is used for District Judges. Cases will be referred to Magistrate Judges randomly, with the total number referred not exceeding the percentage established by the District Judges.

A. Notice of Assignment

When a case is referred to a Magistrate Judge pursuant to this Public Administrative Order, the Clerk of Court will notify all parties who have appeared by sending a Notice of Assignment to Magistrate Judge. The case cannot remain as a Magistrate Judge consent case, however, unless all parties unanimously consent. If all parties consent to keeping the assigned Magistrate Judge, then they must execute and file a joint notice of consent (a form for which is located on the Court's website) either prior to or in conjunction with the proposed scheduling order and discovery plan, or within two weeks of the filing of a dispositive motion, whichever is earlier.

B. Right to Reassignment to a District Judge

Each party has the absolute right to refuse consent to proceed before a Magistrate Judge. There are two procedures through which a referred case may be reassigned to a District Judge.

1. Upon Request

A party to a referred case may obtain random reassignment to a District Judge by contacting the Clerk of Court and making such a request prior to the deadline for submitting a proposed scheduling order and discovery plan with the Court. The Clerk of Court will keep such requests confidential, and the identity of any party seeking reassignment will not be revealed to either the District Judge or the Magistrate Judge.

2. Lack of Unanimous Consent

Reassignment to a District Judge will occur automatically if the parties do not execute and file a joint consent form, demonstrating their unanimous consent to proceed before a Magistrate Judge, by the applicable deadline for filing the consent set forth in Section A above (the earlier of the filing the proposed scheduling order and discovery plan, or within two weeks of the filing of a dispositive motion).

C. Additional Parties

If the existing parties consent to the Magistrate Judge but additional parties are later added to this suit, the Clerk of Court will deliver the Notice to the additional parties. An additional party will have twenty-one (21) days after its deadline for filing a responsive pleading to file a written consent to proceed with the Magistrate Judge. If any additional party fails to file a written consent within that deadline, or contacts the Clerk of Court before the expiration of that deadline to request reassignment to a District Judge, then this case will be randomly reassigned to a District Judge.

D. Procedures for Reassignment

If the case is randomly reassigned to a District Judge, the parties will not have the opportunity to learn which District Judge the case will be assigned to prior to the

reassignment. If the case is reassigned to a District Judge and the parties later decide to consent unanimously to proceed before a Magistrate Judge, they must obtain leave of court to do so. Such leave may or may not be granted at the sole discretion of the District Judge. If leave is granted, the case will be randomly reassigned to a Magistrate Judge meaning it may or may not be reassigned to the same Magistrate Judge.

E. Duty to Provide Notice

Pursuant to Federal Rules of Civil Procedure 4 and 5, the plaintiff (or if the case is removed to federal court, the removing party) must serve a copy of the Notice immediately upon all other parties that have been served with the summons and complaint.

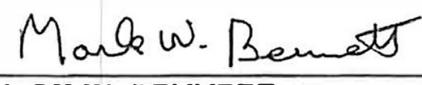
IT IS SO ORDERED this 18th day of December, 2017.



LEONARD T. STRAND
Chief Judge
United States District Court
Northern District of Iowa



LINDA R. READE
District Judge
United States District Court
Northern District of Iowa



MARK W. BENNETT
District Judge
United States District Court
Northern District of Iowa



C.J. WILLIAMS
Chief Magistrate Judge
United States District Court
Northern District of Iowa



KELLY K.E. MAHONEY
Magistrate Judge
United States District Court
Northern District of Iowa

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
THE HOLIDAY
SCHEDULE FOR FISCAL
YEAR 2018

PUBLIC
ADMINISTRATIVE ORDER

No. 17-AO-0014-P

The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will be closed on **Friday, November 24, 2017**. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

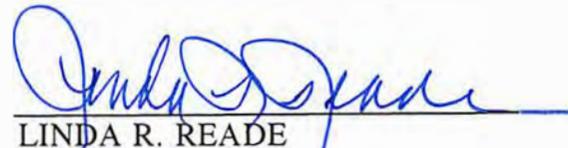
Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 12th day of October, 2017.


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


LINDA R. READE
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

A handwritten signature in black ink, appearing to read "Mark W. Bennett", with a large, stylized flourish at the end. The signature is positioned above a horizontal line.

MARK W. BENNETT
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

**RECEIPT, DEPOSIT,
INVESTMENT AND
DISBURSEMENT OF
REGISTRY FUNDS**

**PUBLIC
ADMINISTRATIVE ORDER**

**No. 17-AO-0013-P
(Supersedes No. 16-AO-0011-P)**

The Court, having determined under Local Rule 67 that it is necessary to adopt local procedures to ensure uniform administration of the Court's registry, hereby orders that the following procedures shall govern the receipt, deposit, investment, tax administration, and subsequent disbursement of registry funds:

I. Receipt of Funds

- a. No money shall be sent to the Court or its officers for deposit into the Court's registry without a court order signed by the presiding judge in the case or proceeding.
- b. The party making the deposit or transferring funds to the Court's registry shall provide a copy of the order permitting the deposit or transfer to the Clerk of Court.
- c. Unless otherwise specifically provided for in the court order, all monies ordered to be paid to the Court or received by its officers in any case shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S.C. § 2041 through depositories designated by the Treasury to accept such deposits on its behalf.

II. Investment of Registry Funds

- a. Where, by order of the Court, funds on deposit with the Court are to be placed in some form of interest-bearing account or invested in a court-approved, interest-bearing instrument in accordance with Rule 67 of the Federal Rules of Civil Procedure, the Court Registry Investment System (CRIS), administered by the Administrative Office of the United States Courts under 28 U.S.C. § 2045, shall be the authorized investment mechanism.
- b. Interpleader funds deposited under 28 U.S.C. § 1335 meet the IRS definition of a Disputed Ownership Fund (DOF), a taxable entity that requires tax administration. Unless otherwise specifically ordered by the Court, interpleader funds shall be deposited in the DOF established within the CRIS and administered by the Administrative Office of the United States Courts, whom shall be responsible for meeting all DOF tax administration requirements.
- c. The Director of the Administrative Office of the United States Courts is designated as custodian for all CRIS funds. The Director or the Director's designee shall perform the duties of the custodian. Funds held in the CRIS remain subject to the control and jurisdiction of the Court.
- d. Money from each case deposited in the CRIS shall be pooled together with those on deposit with Treasury to the credit of other courts in the CRIS and used to purchase government account series securities through the Bureau of Public Debt, which will be held at Treasury, in an account in the name and to the credit of the Director of the Administrative Office of the United States Courts. The pooled funds will be invested in accordance with the principles of the CRIS investment policy as approved by the Registry Monitoring Group.

- e. An account will be established in the CRIS liquidity fund titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case based on the ratio each account's principal and interest earnings has to the aggregate principal and income total in the fund after the CRIS fee has been applied. Reports showing the interest earned and the principal amounts contributed in each case will be prepared and distributed to each court participating in the CRIS and made available to litigants and/or their counsel.
- f. For each interpleader case, an account shall be established in the CRIS Disputed Ownership Fund, titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case after the DOF fee has been applied and tax withholdings have been deducted from the fund. Reports showing the interest earned and the principal amounts contributed in each case will be available through the FedInvest application for each court participating in the CRIS and made available to litigants and/or their counsel. On appointment of an administrator authorized to incur expenses on behalf of the DOF in a case, the case DOF funds will be transferred to another investment account as directed by court order.

III. Fees and Taxes

- a. The custodian is authorized and directed by this administrative order to deduct the CRIS fee of an annualized 10 basis points on assets for all CRIS funds, excluding the case funds held in the DOF, for the management of CRIS investments. According to the Court's miscellaneous fee schedule, the CRIS fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases.

- b. The custodian is authorized and directed by this order to deduct the DOF fee of an annualized 20 basis points on assets for management of DOF investments and tax administration. According to the Court's miscellaneous fee schedule, the DOF fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases. The custodian is further authorized and directed by this order to withhold and pay federal taxes dues on behalf of the DOF.

IV. Disbursement of Registry Funds

- a. To withdraw money deposited in the CRIS a party must file a motion for withdrawal of the funds, which includes addressing the disposition of interest earnings. To protect the personal identifiers contained therein, the party must simultaneously email the Clerk of Court the name, address and social security number (or employer identification number) as well as a completed IRS form W-9, for each recipient for the purpose of issuing a 1099-INT.
- b. No money will be disbursed from the Court's registry without order of the court.

This order supersedes 16-AO-0011-P and abrogates all prior orders of this Court regarding the deposit and investment of registry funds.

IT IS SO ORDERED.

DATED the 29th day of September, 2017.



LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN RE:
DEFENDANTS AS
COOPERATORS WHILE ON
RELEASE**

**PUBLIC
ADMINISTRATIVE ORDER
No. 17-AO-0012-P**

Absent leave of court, no person under court supervision shall serve as an active confidential law enforcement informant (hereafter “active informant”), that is, engage in activities that involve contacting the subject of a criminal investigation on behalf of law enforcement.

Absent exigent circumstances, a request for leave of court shall be made by the government in written, sealed motion. The government’s motion shall identify the primary law enforcement agency seeking the cooperation, the duration of the anticipated cooperation, and the general nature of the anticipated cooperation. The government’s motion shall include a proposed order setting forth conditions of release for the proposed active informant and shall state whether the United States Probation Office objects to the request.

The government or the agent handling the active cooperation shall maintain monthly contact with the United States Probation Officer assigned to the supervision of the person, informing the officer of the anticipated duration of continued cooperation and any issues that have arisen relating to conditions of release. The government shall

promptly report to the United States Probation Office any known violations of a condition of release committed by an active informant while on court supervision.

Any motion and resulting order shall be filed and maintained under seal until further order of the court. The Clerk of Court shall provide a copy of the resulting order to counsel for the government, counsel for the cooperating defendant, and the United States Probation Office.

IT IS SO ORDERED.

DATED this 20th day of September, 2017.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



LINDA R. READE
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



C.J. WILLIAMS
CHIEF MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



KELLY K.E. MAHONEY
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURTS
SOUTHERN AND NORTHERN DISTRICTS OF IOWA**

IN THE MATTER OF

EXERCISE OF ADJOINING DISTRICT
JURISDICTION BY UNITED STATES
MAGISTRATE JUDGES

Southern District of Iowa
**PUBLIC ADMINISTRATIVE
ORDER**
No. 17 - AO - 7 - P

Northern District of Iowa
**PUBLIC ADMINISTRATIVE
ORDER**
No. 17 - AO - 0011 - P

This Administrative Order modifies and supersedes the Court Order entered into by both districts on March 18, 2014.

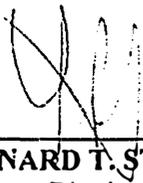
Pursuant to 28 U.S.C. § 631(a), and in accordance with actions taken by the Judicial Conference of the United States on March 14, 1995,

IT IS ORDERED that the full-time and recalled magistrate judges in the Southern District of Iowa are authorized to serve in the adjoining Northern District of Iowa; and

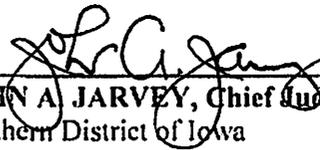
The full-time and recalled magistrate judges in the Northern District of Iowa are authorized to serve in the adjoining Southern District of Iowa.

This authorization being given for the purpose of carrying out any of the duties of magistrate judges specified in 28 U.S.C., 18 U.S.C., and the Local Rules and administrative or general orders of the Southern and Northern Districts of Iowa and is made by the concurrence of a majority of the judges of each of the district courts involved.

Dated this 21st day of September, 2017.



LEONARD T. STRAND, Chief Judge
Northern District of Iowa



JOHN A. JARVEY, Chief Judge
Southern District of Iowa

IN THE UNITED STATES DISTRICT COURTS
NORTHERN DISTRICT OF IOWA
DISTRICT OF NEBRASKA

IN THE MATTER OF

EXERCISE OF ADJOINING DISTRICT
JURISDICTION BY UNITED STATES
MAGISTRATE JUDGES

Northern District of Iowa
**PUBLIC ADMINISTRATIVE
ORDER**
No. 17-AO-0010-P

District of Nebraska
GENERAL ORDER
No. 2017-03

Pursuant to 28 U.S.C. § 631(a), and in accordance with actions taken by the Judicial Conference of the United States on March 23, 2000,

IT IS ORDERED that the full-time magistrate judge at Sioux City in the Northern District of Iowa is authorized to serve in the adjoining District of Nebraska; and

This authorization being given for the purpose of carrying out any of the duties of magistrate judges specified in 28 U.S.C., 18 U.S.C., and the Local Rules and administrative or general orders of the Northern District of Iowa and the District of Nebraska and is made by the concurrence of a majority of the judges of each of the district courts involved.

Dated this 12th day of September, 2017.


LAURIE SMITH CAMP, Chief Judge
District of Nebraska


LEONARD T. STRAND, Chief Judge
Northern District of Iowa

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN RE CELL PHONES,
COMPUTERS, ELECTRONIC
READERS, CAMERAS, AUDIO
RECORDERS, AND WIRELESS
COMMUNICATION DEVICES IN
THE COURTHOUSES OF THE
NORTHERN DISTRICT OF IOWA

**PUBLIC
ADMINISTRATIVE ORDER**

**No. 17-AO-0008-P
(Supercedes No. 07-AO-0009-P)**

The following rules govern the use of cell phones, computers, electronic readers, cameras, audio recorders, and wireless communication devices (herein collectively referred to as “the devices”) in the courthouses in the Northern District of Iowa.

The devices are not allowed in the courthouses of the Northern District of Iowa with the following exceptions:

1. Employees of the courthouse tenants may bring the devices into the courthouse with no limitations except those imposed by the employer.
2. Any person who is being escorted by an employee of a courthouse tenant, provided the device(s) may not be taken into a courtroom and may not be activated or used other than in the tenant’s space, subject to any restrictions imposed by the tenant in the tenant’s space.
3. Approved contractors present in the courthouse to perform work for tenants, licensed attorneys, and law enforcement agents may bring the devices into the courthouse, provided:
 - (a) The devices are turned off while in a courtroom (except the devices may be used in a courtroom to view, play, or display exhibits offered in any proceeding);

- (b) The devices are disabled from making an audible sound or making audio or video recordings when the person is present in or in the vicinity of a courtroom, except when being used in the courtroom to view, play, or display exhibits offered in any proceeding;
- (c) The devices are not used to photograph the person of, or record the voice of, any person in the courthouse (except as may be authorized by any tenant of the courthouse within that tenant's leased space);
- (d) The devices are not used to transmit testimony or any photographs during a court proceeding; and
- (e) The approved contractor, licensed attorney, or law enforcement agent does not allow another person to use any such device unless that other person would be authorized to use a similar device under these rules.

4. A person selected to serve on a petit or grand jury panel may bring a cell phone or electronic reader into the courthouse provided:

- (a) The cell phone or electronic reader is not brought into the courtroom or grand jury room;
- (b) The cell phone or electronic reader is disabled from making an audible sound;
- (c) The cell phone or electronic reader is not used to take any photograph or make any audio or video recording;
- (d) The cell phone or electronic reader is only used at breaks in the proceedings; and
- (e) Any petit juror must surrender the cell phone or electronic reader to the Clerk of Court while the jury is in deliberations.

5. In addition to any other federal or state statutes, failure to comply with this Order is punishable by criminal contempt under 18 U.S.C § 401, by fine or imprisonment or both.

This Order is effective immediately.

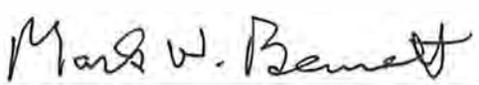
IT IS SO ORDERED this 25th day of August, 2017.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



LINDA R. READE
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



C.J. WILLIAMS
CHIEF MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



KELLY K.E. MAHONEY
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN RE: INSTRUCTIONS
AND WORKSHEET FOR
CIVIL TRIAL SCHEDULE
AND DISCOVERY PLAN**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 17-AO-0006-P

For the effective and efficient administration of justice in the Northern District of Iowa, the Court hereby adopts the attached Instructions and Worksheet for Preparation of Trial Schedule and Discovery Plan, with Proposed Order, effective May 1, 2017, for civil cases filed in this district.

IT IS SO ORDERED.

DATED this 24th day of April, 2017.



**LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**INSTRUCTIONS AND WORKSHEET FOR PREPARATION OF
TRIAL SCHEDULE AND DISCOVERY PLAN**

Effective May 23, 2017

Counsel for the parties shall confer, as required by Federal Rules of Civil Procedure 16 and 26 and Local Rules 16 and 26, and submit to the Clerk of Court on the attached form a stipulated proposed scheduling and discovery plan. **Follow this worksheet during your Rule 16(b) and 26(f) conference. The deadlines referred to in the worksheet are suggested deadlines except for the dispositive motion deadline, which MUST be at least 150 days before the trial ready date, which must be within 18 months of the filing of the complaint or notice of removal. Submit only the attached two-page proposed scheduling and discovery plan to the Clerk of Court. DO NOT FILE EITHER THE WORKSHEET OR THE PROPOSED SCHEDULING AND DISCOVERY PLAN.**

Please carefully review the Local Rules for a more complete description of the District's requirements for pretrial case management (*available at www.iana.uscourts.gov*). After the Court receives the parties' proposed scheduling and discovery plan, it will schedule a Rule 16(b) and 26(f) conference call with the parties to discuss the proposed schedule and plan, along with other pretrial issues.

1. INITIAL DISCLOSURES AND ELECTRONICALLY STORED INFORMATION:

State whether the parties (a) entered into an agreement during the Rule 26(f) conference resolving all issues relating to the Federal Rule of Civil Procedure 26(a)(1) initial disclosures in this action, and (b) discussed the preservation, disclosure, and discovery of electronically stored information: _____ yes _____ no

If any party objects either to making the initial disclosures or to the timing of the initial disclosures, then **within 14 days after the scheduling and discovery plan is submitted**, the objecting party must serve and file a document in which the objections are set forth with particularity.

If the parties have entered into an agreement concerning the timing of the initial disclosures, state the date by which the initial disclosures will be made: _____
(insert date)

Unless a different deadline is set by agreement of the parties or court order, or unless a party objects to making the initial disclosures or to the timing of the initial disclosures, Local Rule 26(a) requires that the initial disclosures be made **within 14 days after the parties' Rule 26(f) conference**.

Federal Rule of Civil Procedure 26(a)(1) describes the information the parties must, without awaiting a discovery request, provide to other parties. Parties are required to comply fully with Rule 26(a)(1).

If the parties have any other disputes concerning initial disclosures or the preservation, disclosure, or discovery of electronically stored information, or are aware of any other issues relating to scheduling or planning that might benefit from the early intervention of the court, the parties should raise the dispute with the Magistrate Judge during the pretrial discovery and planning conference.

2. ADDING PARTIES:

State the deadline for filing motions to add parties: _____
(insert date)

This deadline should be **no more than 2 months after the date the proposed scheduling and discovery plan is submitted to the Clerk of Court.**

3. AMENDING PLEADINGS:

State the deadline for filing motions to amend pleadings: _____
(insert date)

This deadline should be **no more than 2 months after the date the proposed scheduling and discovery plan is submitted to the Clerk of Court.**

4. EXPERT WITNESSES:

State the deadlines for the parties to disclose, in accordance with Federal Rule of Civil Procedure 26(a)(2)(A), (B), and (C), all “expert witnesses” who may be used at trial to present evidence under Federal Rules of Evidence 702, 703, or 705:

Plaintiff’s experts: _____
(insert date)

Defendant’s experts: _____
(insert date)

Plaintiff’s rebuttal experts: _____
(insert date)

The deadlines for the plaintiff to disclose experts, for the defendant to disclose experts, and for the plaintiff to disclose rebuttal experts should be **no more than 3 months, 5 months, and 6 months**, respectively, after the date the proposed scheduling and discovery plan is submitted to the Clerk of Court. Except as otherwise stipulated by the parties or ordered by the court, the parties must, by these deadlines, provide full disclosure of expert information as required by Federal Rule of Civil Procedure 26(a)(2).

5. DISCOVERY:

State the date by which all discovery will be *completed*, not propounded: _____
(insert date)

Note that this is the date for completion of discovery, not the date when discovery is to be propounded. This deadline should be **no more than 8 months after the date the proposed scheduling and discovery plan is submitted to the Clerk of Court**. Federal Rule of Civil Procedure 26(e) imposes a continuing duty to supplement discovery responses as soon as practicable. **All discovery responses must be supplemented at least 30 days before the close of discovery.**

6. DISPOSITIVE MOTIONS:

State the deadline for filing dispositive motions: _____
(insert date)

This deadline must be at least **150 days before the trial ready date**, but should be **no more than 9 months after the date the proposed scheduling and discovery plan is submitted to the Clerk of Court**.

7. TRIAL READY DATE:

State the date on which the parties anticipate the case will be ready for trial: _____
(insert date)

This deadline should be **no more than 14 months after the date the proposed scheduling and discovery plan is submitted to the court**, but must not be less than **150 days after the dispositive motion deadline and not more than 18 months after the filing of the complaint or notice of removal**.

8. JURY DEMAND:

State whether a jury demand has been filed: _____ yes _____ no

9. ESTIMATED LENGTH OF TRIAL:

State your estimate of the number of days required for trial: _____
(insert number of trial days)

For jury trials, include in your estimate the time required for jury selection, opening statements, closing arguments, and instructions. If circumstances change, the parties should immediately notify the court. **In any event, the parties should notify the court of any change in the time required for trial and of their new estimated length of trial at least 30 days before the trial readiness date in paragraph 7.**

10. CONSENT TO MAGISTRATE JUDGE:

State whether the parties unanimously consent, or do not unanimously consent, to trial, disposition, and judgment by a United States Magistrate Judge, with appeal to the Eighth Circuit Court of Appeals.

_____ yes, we unanimously consent _____ no, we do not unanimously consent

You may consent in either a jury or non-jury case. Cases consented to the United States Magistrate Judge will be set for trial on a **date certain**.

11. FILING OR DELIVERY OF FORM TO CLERK OF COURT:

Print or type the names, addresses, telephone and fax numbers, and e-mail addresses on the proposed scheduling and discovery plan; sign the proposed and plan, and e-mail the form to the following e-mail address: ecfmail@iand.uscourts.gov. **Be sure to include *both* pages of the proposed schedule and plan.**

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

_____,)
)
Plaintiff(s),) NO.
)
vs.)
)
_____,) SCHEDULING AND
) DISCOVERY PLAN
Defendant(s))

Counsel have conferred and submit the following case information and proposed dates for case management:

1. Did the parties both (a) enter into an agreement during the Rule 26(f) conference resolving all issues relating to initial disclosures, and (b) discuss the preservation, disclosure, and discovery of electronically stored information? ___ yes ___ no
If the parties have agreed to a deadline for making the initial disclosures, state the date by which the initial disclosures will be made: _____
If any party objected during the Rule 26(f) conference to making or to the timing of the initial disclosures, then the objecting party must, within 14 days after this schedule and plan has been submitted, serve and file a document in which the objections are set forth with particularity.
2. Deadline for motions to add parties:
3. Deadline for motions to amend pleadings:

4. Expert witnesses disclosed by:
 - a) Plaintiff:
 - b) Defendant:
 - c) Plaintiff Rebuttal:
5. Deadline for *completion* of discovery:
6. Dispositive motions deadline (*at least 150 days before Trial Ready Date*):
7. Trial Ready Date (*at least 150 days after Dispositive Motions Date*):
8. Has a jury demand been filed? _____ **yes** _____ **no**
9. Estimated length of trial: _____ days
10. Do the parties unanimously consent to trial, disposition and judgment by a U.S. Magistrate Judge, with appeal to the Eighth Circuit Court of Appeals pursuant to 28 U.S.C. § 636(c)(3)? _____ **yes** _____ **no**
11. Are each of the attorneys in this case admitted to practice in the Northern District of Iowa pursuant to Local Rule 83? _____ **yes** _____ **no**

Plaintiff(s):
 Address:
 Telephone:
 Facsimile:
 Email address:

Defendant(s):
 Address:
 Telephone:
 Facsimile:
 Email address:

Third-Party Defendant(s)\Other:
 Address:
 Telephone:
 Facsimile:
 Email address:

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN RE: LETTERS OF
SUPPORT

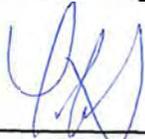
PUBLIC
ADMINISTRATIVE ORDER

NDIA No. 17-AO-0005-P
SDIA No. 17-AO-0005-P

Any letters of support for defendants in a criminal case for the court to consider at the time of sentencing must be submitted through defense counsel as exhibits and shall be electronically filed via the court's electronic docketing system. Such letters are not to be sent directly to a judge's chambers or the United States Probation Office by regular mail or delivery, email, or any other means.

IT IS SO ORDERED.

DATED this 8th day of May, 2017.



LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



JOHN A. JARVEY
CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

**ELECTRONIC CASE
FILING PROCEDURES
MANUAL
EFFECTIVE MAY, 1 2017**

**PUBLIC
ADMINISTRATIVE ORDER**

**No. 17-AO-0004-P
(Supercedes No. 13-AO-0002-P)**

The Electronic Case Filing Procedures Manual published on the court's website is hereby adopted effective May 1, 2017.

IT IS SO ORDERED.

DATED this 15th day of May, 2017.


LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


LINDA R. READE, DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT, DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

**AMENDED LOCAL RULES
EFFECTIVE MAY, 1 2017**

**PUBLIC
ADMINISTRATIVE ORDER**

**No. 17-AO-0003-P
(Supercedes No. 09-AO-0006-P)**

The Local Rules published on the court's website are hereby adopted as the Local Rules for the Northern District of Iowa, effective May 1, 2017.

IT IS SO ORDERED.

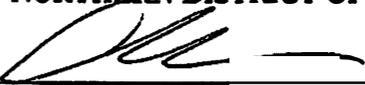
DATED this 1st day of May, 2017.


LEONARD T. STRAND
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


KELLY K.E. MAHONEY
MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


LINDA R. READE
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


C.J. WILLIAMS
CHIEF MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

JURY SELECTION PLAN

**PUBLIC
ADMINISTRATIVE ORDER**

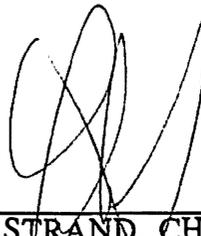
No. 17-AO-0002-P
(Supercedes 1466 filed 01/20/2000)

Pursuant to the Jury Selection and Service Act of 1968, as amended, 28 U.S.C. § 1861 et seq., the Northern District of Iowa hereby adopts the Jury Selection Plan dated January 26, 2017 and approved by the Eighth Circuit Council on February 21, 2017 and to such rules and regulations as may be adopted from time to time by the Judicial Conference of the United States.

The current Jury Selection Plan dated January 26, 2017 replaced the prior Jury Selection Plan, in its entirety.

IT IS SO ORDERED.

DATED the 21 day of February, 2017.



LEONARD T. STRAND, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
REFILLING MASTER JURY WHEEL

**PUBLIC
ADMINISTRATIVE ORDER**

No.17-AO-0001-P

It having been brought to the court's attention that under the Amended Plan for the Random Selection of Grand and Petit Jurors for the United States District Court for the Northern District of Iowa ("Plan"), the Master Jury Wheel is due to be refilled.

IT IS HEREBY ORDERED

1. That the Master Jury Wheel for the Cedar Rapids-Eastern Division, Central Division and Western Division of this district shall be refilled by not later than July 1, 2017.

2. Pursuant to Sections D and T of the Plan, the Director of Voter Registration for the State of Iowa is authorized to carry out by automated methods the instructions and orders of this court, relating to the selection and recording of prospective juror names to be extracted from the "supplemented lists" as defined in Section D of the Plan.

3. In the Cedar Rapids-Eastern Division, the selection shall commence with the selection and recording of the 67th name on said list(s), and then to select every 83rd name thereafter, continuing in this manner through the entire designated list(s).

In the Central Division, the selection shall commence with the selection and recording of the 34th name on said list(s), and then to select every 60th name thereafter, continuing in this manner through the entire designated list(s).

In the Western Division, the selection shall commence with the selection and recording of the 21st name on said list(s), and then to select every 31st name thereafter, continuing in this manner through the entire designated list(s).

4. The names of the persons selected and recorded are to be treated as confidential and are not to be furnished to any other person or organization nor used for any purpose other than for use in refilling this court's Master Jury Wheel under the Plan.

5. The Director of Voter Registration for the State of Iowa, after drawing the names as set forth above, shall promptly provide a list of names in the form previously agreed to with the Clerk of this court.

6. The Clerk shall then cause the questionnaires to be mailed to all names on the list and is authorized to subcontract the mailing provided appropriate measures are made to protect the confidentiality of the names listed.

7. Prior to refilling the Master Jury Wheel, the Clerk shall draw sufficient names at random from the existing Master Jury Wheel to satisfy the need for jurors in this district while the Qualified Wheel is being refilled. Upon filling of the new Master Jury Wheel, this will officially replace the old Master Jury Wheel. Upon refilling the new Qualified Jury Wheel, the old wheel will be officially terminated.

IT IS SO ORDERED.

DATED this 21st day of January, 2017.


LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

APPOINTMENT OF CHIEF
MAGISTRATE JUDGE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 16-AO-0014-P

The Honorable C.J. Williams is hereby designated Chief Magistrate Judge for the United States District Court for the Northern District of Iowa, effective January 1, 2017.

IT IS SO ORDERED.

DATED this 15th day of December, 2016.



LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

REASSIGNMENT OF
MAGISTRATE JUDGE

DUTY STATION

**PUBLIC
ADMINISTRATIVE ORDER**

No. 16-AO-0013-P

At the request of Magistrate Judge Charles Joseph Williams and in accordance with the authority conferred by 28 U.S.C. § 631, *et. seq.*, and the further authority and action taken by the Eighth Circuit Judicial Council in Judicial Council Order # 2722,

IT IS HEREBY ORDERED that the duty station of Charles Joseph Williams is hereby changed from Sioux City, Iowa to Cedar Rapids, Iowa effective January 1, 2017.

The Clerk will cause certified copies of this Order to be published and shall likewise forward a certified copy of this Order to the Director of the Administrative Office of the United States Courts, as required by 28 U.S.C. § 631(h).

IT IS SO ORDERED.

DATED this 20th day of December, 2016 .


LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

United States Courts
Judicial Council of the Eighth Circuit
Thomas F. Eagleton United States Courthouse
111 South 10th Street – Suite 26.325
St. Louis, Missouri 63102-1116

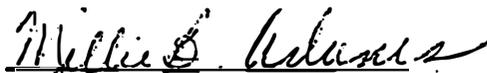
Millie B. Adams
Circuit Executive

Voice (314) 244-2600
Fax (314) 244-2605
www.ca8.uscourts.gov

EIGHTH CIRCUIT JUDICIAL COUNCIL

ORDER

Pursuant to a request by the Northern District of Iowa, I hereby certify that the Eighth Circuit Judicial Council recommends filling the magistrate judge position vacancy in the Northern District of Iowa (Sioux City).^{*} This vacancy is created by the upcoming retirement of Magistrate Judge Jon S. Scoles, effective December 31, 2016.


Millie B. Adams
Circuit Executive

St. Louis, Missouri
May 16, 2016

cc: Judicial Council Members
Chief Judge Linda R. Reade
Magistrate Judge Jon S. Scoles
Robert L. Phelps, Clerk of Court
Michele Reed, Judicial Services Office

Approval was given by the Magistrate Judges Committee.

JCO 2722

^{*} The official duty station for Magistrate Judge Scoles is Cedar Rapids, Iowa. Upon his retirement, Magistrate Judge Charles J. Williams will relocate from his duty station of Sioux City to Cedar Rapids.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

APPOINTMENT OF UNITED STATES

MAGISTRATE JUDGE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 16-AO-0012-P

In accordance with the authority conferred by 28 U.S.C. § 631, et. seq., and the further authority and action taken by the Judicial Conference of the United States,

IT IS HEREBY ORDERED that Kelly K.E. Mahoney be and is hereby appointed as full-time United States Magistrate Judge for the Northern District of Iowa with her official duty station at Sioux City, Iowa.

Magistrate Judge Kelly K.E. Mahoney shall enter upon the performance of her duties at 08:00 A.M. on the 1st day of January, 2017, but prior to the commencement of such duties, she shall take the oath or affirmation prescribed by 28 U.S.C. § 453 and § 631(g).

Magistrate Judge Kelly K.E. Mahoney shall hold and discharge the duties of her office for a term of eight (8) years from the date of her appointment subject to the provisions of 28 U.S.C. § 631(i), unless sooner removed.

Magistrate Judge Kelly K.E. Mahoney shall have the powers, authority and jurisdiction to perform all duties within the Northern District of Iowa which are conferred and imposed by law upon United States Magistrate Judges.

IT IS FURTHER ORDERED that Magistrate Judge Kelly K.E. Mahoney is hereby specifically designated to try persons accused of and sentence persons convicted of minor offenses as defined by 18 U.S.C. § 3401.

The Clerk will cause certified copies of this Order to be published and shall likewise forward a certified copy of this Order to the Director of the Administrative Office of the United States Courts, as required by 28 U.S.C. § 631(h).

IT IS SO ORDERED.

DATED this 20th day of December, 2016.



LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

United States Courts
Judicial Council of the Eighth Circuit
Thomas F. Eagleton United States Courthouse
111 South 10th Street – Suite 26.325
St. Louis, Missouri 63102-1116

Millie B. Adams
Circuit Executive

Voice (314) 244-2600
Fax (314) 244-2605
www.ca8.uscourts.gov

EIGHTH CIRCUIT JUDICIAL COUNCIL

ORDER

Pursuant to a request by the Northern District of Iowa, I hereby certify that the Eighth Circuit Judicial Council recommends filling the magistrate judge position vacancy in the Northern District of Iowa (Sioux City).^{*} This vacancy is created by the upcoming retirement of Magistrate Judge Jon S. Scoles, effective December 31, 2016.


Millie B. Adams
Circuit Executive

St. Louis, Missouri
May 16, 2016

cc: Judicial Council Members
Chief Judge Linda R. Reade
Magistrate Judge Jon S. Scoles
Robert L. Phelps, Clerk of Court
Michele Reed, Judicial Services Office

Approval was given by the Magistrate Judges Committee.

JCO 2722

^{*} The official duty station for Magistrate Judge Scoles is Cedar Rapids, Iowa. Upon his retirement, Magistrate Judge Charles J. Williams will relocate from his duty station of Sioux City to Cedar Rapids.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF THE
HOLIDAY SCHEDULE FOR
FISCAL YEAR 2017

PUBLIC
ADMINISTRATIVE ORDER

No. 16-AO-0010-P

The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will be closed on **Friday, November 25, 2016**. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 6 day of October 2016.



LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



LEONARD T. STRAND, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Mark W. Bennett

**MARK W. BENNETT, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

Certified original placed in Public Administrative Order Book. Copies disbursed on this 7th day of October 2016 via email to:

Chief Judge Linda R. Reade
Judge Mark W. Bennett
Judge Edward J. McManus
Chief Magistrate Judge Jon S. Scoles
Judge Leonard T. Strand
Magistrate Judge C. J. Williams
Bankruptcy Court Chief Judge Thad Collins
Circuit Judge Jane Kelly
Senior Circuit Judge Michael Melloy
Robert Phelps, Clerk of District Court
John Zielke, Chief Probation Officer
Jean Hekel, Clerk of Bankruptcy Court
US Attorney Kevin Techau
Tim Duax, Assistant US Attorney, Sioux City
US Marshal Ken Runde
Jim Whalen, Federal Public Defender, Des Moines
Christopher Nathan, Assistant Federal Public Defender, Cedar Rapids
Bradley Hansen, Assistant Federal Public Defender, Sioux City
Diane Strawn, Senior Property Manager, GSA
Bryan Woodward for dissemination to the federal bar and for posting on the external NDIA web-site.

Renee Solmonson

Renee Solmonson, Chief Deputy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
CRIMINAL DEADLINE EXTENSIONS

**PUBLIC
ADMINISTRATIVE ORDER**

No. 16-AO-0009-P

Due to preparations in Cedar Rapids and the surrounding area to protect the public and the property from flood waters, proceedings in the Cedar Rapids courthouse for the week of September 26-30, 2016, were canceled. In addition, attorney access to in-custody defendants has been limited because the Linn County Jail was evacuated on September 25, 2016 and the prisoners moved to a facility where attorney visitation has not been permitted.

Accordingly, deadlines in criminal cases previously set for the week of September 26-30, 2016 are automatically extended for seven calendar days without the need for attorneys to file motions to extend deadlines.

IT IS SO ORDERED.

DATED this 27th day of September, 2016.



LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF THE
"SYSTEM-SEALED" DOCUMENTS
FILED UNDER SEAL WITHOUT
MOTION OR ORDER PURSUANT TO
THE LOCAL RULES

PUBLIC
ADMINISTRATIVE ORDER

No. 16-AO-0008-P
(Supersedes 16-AO-0005-P)

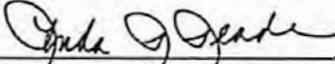
Local Rules provide that certain categories of documents filed with the court, because of their nature, are sealed by the CM-ECF system automatically without a motion by party or an order of the court.

IT IS HEREBY ORDERED that effective September 6, 2016, when filing documents in the Northern District of Iowa via CM-ECF, the documents listed on the attachment will be system sealed.

This Administrative Order supersedes 16-AO-0005-P dated June 15, 2016. The Clerk of Court is directed to place a copy of this order in the Public Administrative Orders binder.

IT IS SO ORDERED.

DATED this 2nd day of September, 2016.



LINDA. R. READE
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



LEONARD T. STRAND
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

System Sealed Documents*
Civil Cases

Key

A = Attorney

C = Court

NEF = Notice of Electronic Filing

Filed By	Document	Court Only	Sealed – NEF to selected participants	Selected Participants
A	CJA 23	X		
C	CJA 20, 21	X		
C	Prisoner Trust Fund Account Statement	X		
C	Seizure Warrant	X		Unseal after execution
C	Staff Notes	X		

Updated as of 9/6/16

***Documents sealed automatically without a motion or action by filer.**

**System Sealed Documents*
Criminal Cases**

Key

C = Court
 Def. = Defendants or the attorney
 USA = United States Attorney
 USPO = United States Probation

Key

NEF = Notice of Electronic Filing

Filed By	Document	Court Only	Sealed – NEF to selected participants	Selected Participants
C	Indictment - Original	X		
C	indictment - Redacted	X	Unseal after arrest	Def. (after arrest)
C	Psychiatric Report		X	Def. USA USPO
C	Judge's Sentencing Notes	X		
C	Preemptory Challenges		X	Def. USA
C/USA	Search Warrant Affidavit	X	Unseal after arrest	Def. (after arrest)
C/USA	Tracker Warrant Affidavit	X	Unseal after arrest	Def. (after arrest)
C/USA	Title III Petition	X	Unseal after arrest	Def. (after arrest)
C/USA	Title III Motion for Extension	X	Unseal after arrest	Def. (after arrest)
C/USA	Title III Motion to Delay Disclosure	X	Unseal after arrest	Def. (after arrest)
USA	Complaint	X	Unseal after arrest	Def. (after arrest)

**System Sealed Documents*
Criminal Cases**

Key

C = Court
Def. = Defendants or the attorney
USA = United States Attorney
USPO = United States Probation

Key

NEF = Notice of Electronic Filing

Filed By	Document	Court Only	Sealed – NEF to selected participants	Selected Participants
USA	Criminal Cover Sheet	X		Unseal after arrest
USA	Motion for Arrest Warrant	X		Unseal after arrest
USA	Motion Under Rule 35		X	Def. USPO
USA	Motion to Revoke Pretrial Release	X		Def. (after arrest)
USA/Def.	Objections to PSIR		X	Def. USA USPO
USA/Def.	Motion In Limine, Brief and Order		X Unseal after verdict	Def. USA
Def.	CJA Forms 20, 21, 23, 30, 31	X		

**System Sealed Documents*
Criminal Cases**

Key

C = Court

Def. = Defendants or the attorney

USA = United States Attorney

USPO = United States Probation

Key

NEF = Notice of Electronic Filing

Filed By	Document	Court Only	Sealed – NEF to selected participants	Selected Participants
Def.	Motion to Incur Expenses (CJA)	X		
Def.	Motion to Issue Subpoena	X		
Def.	Pro Se Motion to Discharge Counsel		X	Def. only
USPO	PS-3 Pretrial Services Report		X	Def. USA
USPO	PSIR & Worksheet (Draft & Final)		X	Def. USA
USPO	Statement of Reasons		X	Def. USA
USPO	Petition to Revoke Supervision (Summons) Probation Form 12C		X	Def. USA
USPO	Petition to Revoke Supervision (Warrant) Probation Form 12C	X		After arrest: Def USA
USPO	Memorandum of Noncompliance or Report on Offender Under Supervision Probation Form 12A		X	Def. USA
USPO	Order Modifying Conditions of Supervision		X	Def. USA

**System Sealed Documents*
Criminal Cases**

Key

C = Court
Def. = Defendants or the attorney
USA = United States Attorney
USPO = United States Probation

Key

NEF = Notice of Electronic Filing

Filed By	Document	Court Only	Sealed – NEF to selected participants	Selected Participants
USPO	Request for Modifying the Conditions or Term of Supervision With Consent of Offender Probation Form 12B/Probation Form 49		X	Def. USA
USPO	Supervised Release/Probation Violation Worksheet and Recommendation		X	Def. USA
USPO	Rule 35 Worksheet		X	Def. USA
USPO	Appendix to Judgment (Victim Impact Statements)		X	USA Def.

FILED
AUG 19 2016
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN AND SOUTHERN DISTRICT OF IOWA

IN RE: APPOINTMENT OF

CLECOORDINATOR

**PUBLIC
ADMINISTRATIVE ORDER**

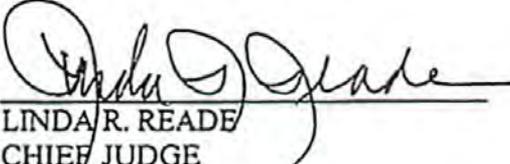
No. 16-A0-0007-P NDIA
(Supercedes 15-AO-0005-P NDIA)

No. 16-A0-0004-P SDIA
(Supercedes 15-AO-0003-P SDIA)

Pursuant to Local Rule 83.1(e)(1) and Administrative Order Nos. 12-A0-4- P NDIA/12-A0-2-P SDIA, Matthew Eslick is appointed as CLE Coordinator for both the Northern District of Iowa and the Southern District of Iowa. This appointment will expire on September 30, 2018.

IT IS SO ORDERED.

DATED this 19 day of August, 2016.


LINDA R. READE
CHIEF JUDGE
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA


JOHN A. JALVEY
CHIEF JUDGE
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN RE: REQUIRED NOTICE IN
SUPERVISED RELEASE
REVOCATIONS

PUBLIC
ADMINISTRATIVE ORDER

No. 16-AO-0006-P
(Supercedes 15-AO-0006-P)

The court recognizes that there is a need to know in advance whether a revocation hearing will be contested in order to save the attorneys preparation time and to make certain an adequate amount of time has been scheduled for the revocation hearing.

THEREFORE it is ordered that at least three court days prior to a scheduled revocation hearing, defense counsel must file a notice which states whether the allegations in the Petition to Revoke Supervision will be contested. If any allegations in the Petition to Revoke Supervision will be contested, defense counsel must identify each contested allegation by violation number and provide a list of witnesses and exhibits that may be offered at the time of the revocation hearing.

IT IS SO ORDERED.

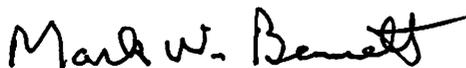
DATED this 12th day of July, 2016.



LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



LEONARD T. STRAND, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF THE
"SYSTEM-SEALED" DOCUMENTS
FILED UNDER SEAL WITHOUT
MOTION OR ORDER PURSUANT TO
LOCAL RULE 5.1.c.**

**PUBLIC
ADMINISTRATIVE ORDER**

**No. 16-AO-0005-P
(Supercedes 15-AO-0001-P)**

Local Rule 5.1.c. provides that certain categories of documents filed with the court, because of their nature, are sealed by the CM-ECF system automatically without a motion by party or an order of the court.

IT IS HEREBY ORDERED that effective June 15, 2016, when filing documents in the Northern District of Iowa via CM-ECF, the documents listed on the attachment will be system sealed.

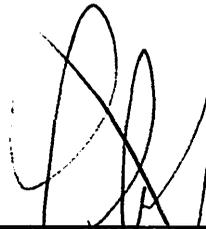
This Administrative Order supersedes 15-AO-0001-P dated January 21, 2015. The Clerk of Court is directed to place a copy of this order in the Public Administrative Orders binder.

IT IS SO ORDERED.

DATED this 15th day of June, 2016.



**LINDA. R. READE
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**



**LEONARD T. STRAND
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**



MARK W. BENNETT
DISTRICT JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 16th day of June, 2016 via email to:

Chief Judge Linda R. Reade
Judge Mark W. Bennett
Judge Edward J. McManus
Judge Leonard T. Strand
Chief Magistrate Judge Jon S. Scoles
Judge C. J. Williams
Robert Phelps, Clerk of District Court
Kim Schwartz, Deputy in Charge
Bryan Woodward for posting on the external NDIA web-site



Renée Solmonson
Chief Deputy



System Sealed Documents*
Civil Cases

Key

A = Attorney

C = Court

NEF = Notice of Electronic Filing

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A	CJA 23	X		
C	CJA 20, 21	X		
C	Prisoner Trust Fund Account Statement	X		
C	Seizure Warrant	X		Unseal after execution
C	Staff Notes	X		

System Sealed Documents* Criminal Cases

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Def. = Defendants or the attorney

USA = United States Attorney

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Key

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C/USA	Search Warrant Affidavit	X	Unseal after arrest	Def. (after arrest)
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C/USA	Title III Petition	X	Unseal after arrest	Def. (after arrest)
C/USA	Title III Motion for Extension	X	Unseal after arrest	Def. (after arrest)
C/USA	Title III Motion to Delay Disclosure	X	Unseal after arrest	Def. (after arrest)
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**System Sealed Documents*
Criminal Cases**

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USA = United States Attorney

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USA	Motion to Revoke Pretrial Release	X		Def. (after arrest)
USA/Def.	Objections to PSIR		X	Def. USA USPO
USA/Def.	Sentencing Memo (but not attachments)		X	Def. USA USPO
USA/Def.	Motion in Limine, Brief and Order		X Unseal after verdict	Def. USA
Def.	CJA Forms 20, 21, 23, 30, 31	X		

**System Sealed Documents*
Criminal Cases**

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USA = United States Attorney

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Key

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Def.	Motion to Issue Subpoena	X		
Def.	Pro Se Motion to Discharge Counsel		X	Def. only
USPO	PS-3 Pretrial Services Report		X	Def. USA
USPO	PSIR & Worksheet (Draft & Final)		X	Def. USA
USPO	Statement of Reasons		X	Def. USA
USPO	Petition to Revoke Supervision (Summons) Probation Form 12C		X	Def. USA
USPO	Petition to Revoke Supervision (Warrant) Probation Form 12C	X		After arrest: Def USA
USPO	Memorandum of Noncompliance or Report on Offender Under Supervision Probation Form 12A		X	Def. USA
USPO	Order Modifying Conditions of Supervision		X	Def. USA

**System Sealed Documents*
Criminal Cases**

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Def. = Defendants or the attorney

USA = United States Attorney

USPO = United States Probation

Key

NEF = Notice of Electronic Filing

Filed By	Document	Court Only	Sealed – NEF to selected participants	Selected Participants
USPO	Request for Modifying the Conditions or Term of Supervision With Consent of Offender Probation Form 12B/Probation Form 49		X	Def. USA
USPO	Supervised Release/Probation Violation Worksheet and Recommendation		X	Def. USA
USPO	Rule 35 Worksheet		X	Def. USA
USPO	Appendix to Judgment (Victim Impact Statements)		X	USA Def.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
MAGISTRATE JUDGE SELECTION
PANEL**

**PUBLIC
ADMINISTRATIVE ORDER**

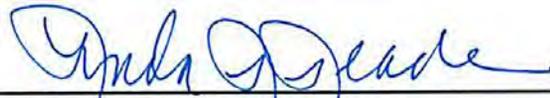
No. 16-AO-0004-P

The United States District Court for the Northern District of Iowa appoints the following Merit Selection Panel to recommend five names to the district court judges for the appointment of a new magistrate judge with his/her duty station in Sioux City, Iowa. The panel must report to the district court within 90 days of its appointment unless otherwise directed by the court. The following persons are appointed as the Merit Selection Panel:

1. Greg Lederer, Esq. - Chair - Cedar Rapids
2. Stephan Avery, Community Member - Sioux City
3. Henry J. Bevel III, Esq. - Waterloo
4. Stuart Cochrane, Esq. - Fort Dodge
5. Peter E. Deegan, Jr., Esq. - Cedar Rapids
6. Jay Denne, Esq. - Sioux City
7. Priscilla Forsyth, Esq. - Sioux City
8. Frances M. Haas, Esq. - Cedar Rapids
9. Jill Johnston, Esq. - Cedar Rapids
10. Elizabeth L. Kutter, Community Member - Cedar Rapids

11. Mohammed Sadden, Esq. - Sioux City
12. Dale Todd, Community Member - Cedar Rapids
13. Kevin Visser, Esq. - Cedar Rapids
14. Alex Watters, Community Member - Sioux City

IT IS SO ORDERED this 3rd day of June, 2016.



Linda R. Reade, Chief Judge
United States District Court
Northern District of Iowa

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

APPOINTMENT OF UNITED STATES

MAGISTRATE JUDGE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 16-AO-0001-P

In accordance with the authority conferred by 28 U.S.C. § 631, et. seq., and the further authority and action taken by the Judicial Conference of the United States,

IT IS HEREBY ORDERED that Charles Joseph Williams be and is hereby appointed as full-time United States Magistrate Judge for the Northern District of Iowa with his official duty station at Sioux City, Iowa.

Magistrate Judge Charles Joseph Williams shall enter upon the performance of his duties at 08:00 A.M. on the 16th day of February, 2016, but prior to the commencement of such duties, he shall take the oath or affirmation prescribed by 28 U.S.C. §453 and §631(g).

Magistrate Judge 28 Charles Joseph Williams shall hold and discharge the duties of his office for a term of eight (8) years from the date of his appointment subject to the provisions of 28 U.S.C. § 631(I), unless sooner removed.

Magistrate Judge Charles Joseph Williams shall have the powers, authority and jurisdiction to perform all duties within the Northern District of Iowa which are conferred and imposed by law upon United States Magistrate Judges.

IT IS FURTHER ORDERED that Magistrate Judge Charles Joseph Williams is hereby specifically designated to try persons accused of and sentence persons convicted of minor offenses as defined by 18 U.S.C. § 3401.

The Clerk will cause certified copies of this Order to be published and shall likewise forward a certified copy of this Order to the Director of the Administrative Office of the United States Courts, as required by 28 U.S.C. § 631(h).

IT IS SO ORDERED.

DATED this 16th day of February, 2016 .


LINDA. R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
DECEMBER 2015
HOLIDAY SCHEDULE

PUBLIC
ADMINISTRATIVE ORDER

No. 15-AO-0011-P

The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will close at **12:00 p.m.** on **Thursday, December 24, 2015** and reopen on December 28, 2015 at 8:00 a.m. Because the Court will be closed, there will be no Court Security Officers on duty after 12:00 pm. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 14th day of December, 2015.


LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Certified original placed in Public Administrative Order Book.

Copies disbursed this 14th day of December 2015 via email to:

Chief Judge Linda R. Reade
Judge Mark W. Bennett
Judge Edward J. McManus
Chief Magistrate Judge Jon S. Scoles
Magistrate Judge Leonard T. Strand
Bankruptcy Court Chief Judge Thad Collins
Circuit Judge Jane Kelly
Senior Circuit Judge Michael Melloy
Robert Phelps, Clerk of District Court
John Zielke, Chief Probation Officer
Jean Hekel, Clerk of Bankruptcy Court
US Attorney Kevin Techau
Tim Duax, Assistant US Attorney, Sioux City
US Marshal Ken Runde
Jim Whalen, Federal Public Defender, Des Moines
Christopher Nathan, Assistant Federal Public Defender, Cedar Rapids
Bradley Hansen, Assistant Federal Public Defender, Sioux City
Diane Strawn, Senior Property Manager, GSA
Bryan Woodward for dissemination to the federal bar and for posting on the external NDIA web-site.



Renea Solmonson
Chief Deputy

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

APPOINTMENT OF UNITED STATES
MAGISTRATE JUDGE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 16-AO-0001-P

In accordance with the authority conferred by 28 U.S.C. § 631, et. seq., and the further authority and action taken by the Judicial Conference of the United States,

IT IS HEREBY ORDERED that Charles Joseph Williams be and is hereby appointed as full-time United States Magistrate Judge for the Northern District of Iowa with his official duty station at Sioux City, Iowa.

Magistrate Judge Charles Joseph Williams shall enter upon the performance of his duties at 08:00 A.M. on the 16th day of February, 2016, but prior to the commencement of such duties, he shall take the oath or affirmation prescribed by 28 U.S.C. §453 and §631(g).

Magistrate Judge 28 Charles Joseph Williams shall hold and discharge the duties of his office for a term of eight (8) years from the date of his appointment subject to the provisions of 28 U.S.C. § 631(I), unless sooner removed.

Magistrate Judge Charles Joseph Williams shall have the powers, authority and jurisdiction to perform all duties within the Northern District of Iowa which are conferred and imposed by law upon United States Magistrate Judges.

IT IS FURTHER ORDERED that Magistrate Judge Charles Joseph Williams is hereby specifically designated to try persons accused of and sentence persons convicted of minor offenses as defined by 18 U.S.C. § 3401.

The Clerk will cause certified copies of this Order to be published and shall likewise forward a certified copy of this Order to the Director of the Administrative Office of the United States Courts, as required by 28 U.S.C. § 631(h).

IT IS SO ORDERED.

DATED this 16th day of February, 2016 .


LINDA. R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
AMENDED AND SUBSTITUTED
CRIMINAL JUSTICE ACT PLAN
FOR THE NORTHERN DISTRICT
OF IOWA

For Providing Representation Pursuant
to the Criminal Justice Act of 1964, as
Amended

PUBLIC
ADMINISTRATIVE ORDER

No. 15-AO-0010-P
(Superseding 10-AO-05-P)

IT IS HEREBY ORDERED that the Amended and Substituted Criminal Justice Act Plan for the Northern District of Iowa, as set forth in Appendix I is adopted.

This Order supersedes Administrative Order 10-AO-05-P dated December 2, 2010.

DATED this 12th day of November, 2015.



LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

United States Courts
Judicial Council of the Eighth Circuit
Thomas F. Eagleton United States Courthouse
111 South 10th Street – Suite 26.325
St. Louis, Missouri 63102-1116

Millie B. Adams
Circuit Executive

Voice (314) 244-2600
Fax (314) 244-2605
www.ca8.uscourts.gov

EIGHTH CIRCUIT JUDICIAL COUNCIL

ORDER

I hereby certify that the Eighth Circuit Judicial Council has approved the amended Criminal Justice Act Plan for the Northern District of Iowa which was adopted by the court on November 12, 2015.


Millie B. Adams
Circuit Executive

St. Louis, Missouri
December 9, 2015

cc: Judicial Council Members
Chief Judge Linda R. Reade
Robert L. Phelps, Clerk of Court
James F. Whalen, Federal Public Defender
Administrative Office

Approval was given by the Defender Services Committee (CJA).

JCO 2684

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
AMENDED AND SUBSTITUTED CRIMINAL JUSTICE ACT PLAN**

I. AUTHORITY

Under the Criminal Justice Act of 1964, as amended, 18 U.S.C. § 3006A (CJA), and the *Guide to Judiciary Policy*, Volume 7A, *Guidelines for Administering the CJA and Related Statutes (CJA Guidelines)*, the judges of the United States District Court for the Northern District of Iowa adopt this Plan for furnishing representation in federal court for any person financially unable to obtain adequate representation in accordance with the CJA.

II. STATEMENT OF POLICY

A. Objectives.

1. The objective of this Plan is to attain the ideal of equality before the law for all persons. Therefore, this Plan will be administered so that those accused of crime, or otherwise eligible for services under the CJA, will not be deprived, because they are financially unable to pay for adequate representation, of any element of representation necessary to an adequate defense.
2. The further objective of this Plan is to particularize the requirements of the CJA, the USA Patriot Improvement and Reauthorization Act of 2005 (recodified at 18 U.S.C. § 3599), and the *CJA Guidelines* in a way that meets the needs of this district.

B. Compliance.

1. The court, its clerk, the federal public defender organization, and private attorneys appointed under the CJA must comply with the *CJA Guidelines* approved by the Judicial Conference of the United States and/or its Committee on Defender Services and with this Plan.
2. Each private attorney will be provided by the federal public defender organization with a then-current copy of this Plan upon the attorney's first appointment under the CJA or designation as a member of the panel of private attorneys under the CJA (CJA Panel). The federal

public defender will maintain a current copy of the *CJA Guidelines* for the use of members of the CJA Panel and will make known to such attorneys its availability.

III. DEFINITIONS

A. Representation

“Representation” includes counsel and investigative, expert, and other services.

B. Appointed Attorney

“Appointed attorney” includes private attorneys, the federal public defender, and staff attorneys of the federal public defender organization.

IV. PROVISION OF REPRESENTATION

A. Circumstance.

1. **Mandatory.** Representation **must** be provided for any financially eligible person who:
 - a. is charged with a felony or with a Class A misdemeanor;
 - b. is a juvenile alleged to have committed an act of juvenile delinquency as defined in 18 U.S.C. § 5031;
 - c. is charged with a violation of probation, or faces a change of a term or condition of probation (unless the modification sought is favorable to the probationer and the government has not objected to the proposed change);
 - d. is under arrest, when such representation is required by law;
 - e. is entitled to appointment of counsel in parole proceedings (*see CJA Guidelines*, § 210.20.10(e));
 - f. is charged with a violation of supervised release or faces modification, reduction, or enlargement of a condition, or extension or revocation of a term of supervised release;
 - g. is subject to a mental condition hearing under 18 U.S.C. § 4241, *et seq.*;
 - h. is in custody as a material witness;

- i. is seeking to set aside or vacate a death sentence under 28 U.S.C. § 2254 or 28 U.S.C. § 2255;
 - j. is entitled to appointment of counsel in verification of consent proceedings in connection with a transfer of an offender to or from the United States for the execution of a penal sentence under 18 U.S.C. § 4109;
 - k. is entitled to appointment of counsel under the Sixth Amendment to the Constitution (*see CJA Guidelines*, § 210.20.10(i)); or
 - l. faces loss of liberty in a case and federal law requires the appointment of counsel (*see CJA Guidelines*, § 210.20.10(i)).
2. **Discretionary.** Whenever a judge or United States magistrate judge determines that the interests of justice so require, representation may be provided for any financially eligible person who:
- a. is charged with a petty offense (Class B or C misdemeanor, or an infraction) for which a sentence to confinement is authorized;
 - b. is seeking relief under 28 U.S.C. § 2241, 28 U.S.C. § 2254, or 28 U.S.C. § 2255 (*see CJA Guidelines*, § 210.20.20(a)(2));
 - c. is charged with civil or criminal contempt and faces loss of liberty;
 - d. has been called as a witness before a grand jury, a court, Congress, or a federal agency or commission which has the power to compel testimony, and there is reason to believe, either prior to or during testimony, that the witness could be subject to a criminal prosecution, a civil or criminal contempt proceeding, or face loss of liberty;
 - e. is proposed by the United States attorney for processing under a pretrial diversion program;
 - f. is held for international extradition under 18 U.S.C. § 3181, *et seq.*; or
 - g. is a target of a grand jury investigation and has been subpoenaed to appear before the grand jury.

Representation may also be furnished for financially eligible persons in ancillary matters appropriate to the proceedings under subsection (c) of the CJA.

B. Timely Appointment of Counsel.

Counsel must be provided to eligible persons as soon as feasible after they are taken into custody, when they appear before a United States magistrate judge or judge, when they are formally charged or notified of charges if formal charges are sealed, or when a United States magistrate judge or judge otherwise considers appointment of counsel appropriate under this Plan or the CJA, whichever occurs earliest.

C. Number and Qualifications of Counsel.

1. Number. More than one attorney may be appointed in any case determined by the court to be extremely difficult. In a capital case, the following applies:

a. **Federal Capital Prosecutions.** Under 18 U.S.C. § 3005, a person charged with a federal capital offense is **entitled** to the appointment of two attorneys, at least one of whom must be learned in the law applicable to capital cases. Under 18 U.S.C. § 3599(a)(1), if necessary for adequate representation, more than two attorneys may be appointed to represent a defendant in such a case.

b. **Habeas Corpus Proceedings.** Under 18 U.S.C. § 3599(a)(2), a financially eligible person seeking to vacate or set aside a death sentence in proceedings under 28 U.S.C. § 2254 or 28 U.S.C. § 2255 is **entitled** to appointment of one or more qualified attorneys. Due to the complex, demanding, and protracted nature of death penalty proceedings, judicial officers should consider appointing at least two counsel.

2. Qualifications. Qualifications for appointed counsel will be determined by the court. In capital cases the following also applies:

a. **Appointment of Counsel Prior to Judgment.** Under 18 U.S.C. § 3599(b), at least one of the attorneys appointed must have been admitted to practice in the court in which the case will be prosecuted for not less than five years, and must have had not less than three years experience in the actual trial of felony prosecutions in that court. Under 18 U.S.C. § 3005, at least

one of the attorneys appointed must be knowledgeable in the law applicable to capital cases.

Under 18 U.S.C. § 3005, in appointing counsel in federal capital prosecutions, the court will consider the recommendation of the federal public defender.

- b. **Appointment of Counsel After Judgment.** Under 18 U.S.C. § 3599[©], at least one of the attorneys appointed must have been admitted to practice in the court of appeals for not less than five years and must have had not less than three years experience in the handling of appeals in felony cases in that court.
- c. **Attorney Qualification Waiver.** Under 18 U.S.C. § 3599(d), the presiding judicial officer, for good cause, may appoint an attorney who may not qualify under 18 U.S.C. § 3599(b) or [©], but who has the background, knowledge, and experience necessary to represent the defendant properly in a capital case, giving due consideration to the seriousness of the possible penalty and the unique and complex nature of the litigation.

D. Eligibility for Representation.

- 1. **Factfinding.** The determination of eligibility for representation under the CJA is a judicial function to be performed by a federal judge or United States magistrate judge after making appropriate inquiries concerning the person's financial condition.
- 2. **Disclosure of Change in Eligibility.** If, at any time after appointment, counsel obtains information that a client is financially able to make payment, in whole or in part, for legal or other services in connection with his or her representation and the source of the attorney's information is not protected as a privileged communication, counsel will advise the court.

V. FEDERAL PUBLIC DEFENDER ORGANIZATION

A. Establishment.

1. The federal public defender organization of the Northern District of Iowa, previously established in this district under the provisions of the CJA, is hereby recognized as the federal public defender organization for this district.
2. The federal public defender organization will be capable of providing legal services throughout the district and will maintain offices in Cedar Rapids and Sioux City, Iowa.

B. Supervision of Federal Public Defender Organization. The federal public defender will be responsible for the supervision and management of the federal public defender organization. Accordingly, the federal public defender will be appointed in all cases assigned to that organization for subsequent assignment to staff attorneys at the discretion of the federal public defender.

C. Management of CJA Panel. The clerk's office will be responsible for the systematic distribution of cases to and for the management of the CJA Panel subject to the provisions of the Plan for the Composition, Administration, and Management of the Panel of Private Attorneys under the Criminal Justice Act, found at Appendix I of this Plan.

VI. PRIVATE ATTORNEYS

A. Establishment of CJA Panel. The existing, previously established CJA Panel who are eligible and willing to be appointed to provide representation under the CJA is hereby recognized.

B. Organization. The Plan for the Composition, Administration, and Management of the Panel of Private Attorneys under the Criminal Justice Act is found at Appendix I of this Plan.

C. Ratio of Appointments. Where practical and cost effective, private attorneys from the CJA Panel will be appointed in a substantial proportion of the cases in which the accused is determined to be financially eligible for representation under the CJA. "Substantial" will usually be defined as

approximately 25% of the appointments under the CJA annually throughout the district.

VII. DUTIES OF APPOINTED COUNSEL

- A. Standards.** The services to be rendered a person represented by appointed counsel will be commensurate with those rendered if counsel were privately employed by the person.
- B. Professional Conduct.** Attorneys appointed under the CJA must conform to the highest standards of professional conduct, including, but not limited to, the provisions of the Iowa Rules of Professional Conduct.
- C. No Receipt of Other Payment.** Appointed counsel may not require, request, or accept any payment or promise of payment or any other valuable consideration for representation under the appointment, unless such payment is approved by order of the court.
- D. Continuing Representation.** Once counsel is appointed under the CJA, counsel will continue the representation until the matter, including appeals or review by certiorari (as governed by the circuit CJA plan provisions concerning representation on appeal), is closed; until substitute counsel has filed a notice of appearance; until an order has been entered allowing or requiring the person represented to proceed *pro se*; or until the appointment is terminated by court order.

VIII. DUTIES OF LAW ENFORCEMENT AND RELATED AGENCIES

- A. Presentation of Accused for Appointment of Counsel.** Federal law enforcement and prosecutorial agencies, probation officers, and pretrial services officers in this district, and those acting on their behalf, must promptly ask any person who is in custody, or who otherwise may be entitled to counsel under the CJA, whether he or she is financially able to secure representation, and must, in such cases in which the person indicates that he or she is not able, notify the federal public defender who will discuss with the person the right to representation and right to appointed counsel, and if appointment of counsel seems likely, assist in the completion of a financial affidavit (Form CJA 23) and arrange to have the person promptly presented before a United States magistrate judge or judge of this court for determination of financial eligibility and appointment of counsel.

- B. Pretrial Services Interview.** A pretrial services officer must conduct an initial interview of a defendant to assist the court in deciding whether a defendant will be released or kept in custody pending trial. The pretrial services officer must advise the defendant of the right to speak with a lawyer before answering questions and must further advise the defendant that, if the defendant cannot afford a lawyer, one will be appointed. The pretrial services officer will only ask those questions necessary to complete the initial pretrial report and will not ask questions concerning the substantive offense or the alleged relevant conduct. This interview may be conducted prior to the appointment of counsel, but the interview must be immediately terminated if the defendant requests to speak with a lawyer at any time during the interview. Relevant information bearing on the defendant's financial eligibility must be reflected on a financial eligibility affidavit (Form CJA 23) which should be filled out by the defendant with the assistance of counsel. After completion, the form must be presented to a United States magistrate judge or judge of this court. Other officers or employees of the court (i.e., clerk, deputy clerk or pretrial services officer) may be designated by the court to verify the facts contained within the affidavit upon which such determination is to be made. Employees of law enforcement agencies or United States attorney's offices must not participate in the completion of the Form CJA 23 or seek to obtain information from a person requesting the appointment of counsel concerning his or her eligibility.
- C. Notice of Indictment or Criminal Information.** Upon the return or unsealing of an indictment, the filing of a criminal information, or the filing of a petition to modify or revoke probation, the United States attorney or the probation officer, as appropriate, must immediately mail or otherwise deliver a copy of the document to appointed counsel, or to the defendant if he is without counsel, at the address shown on defendant's bond papers or to the jail in which the defendant is incarcerated.

IX. MISCELLANEOUS

- A. Forms.** Standard forms, pertaining to the CJA and approved by the Judicial Conference of the United States or its Committee on Defender Services and prescribed and distributed by the Director of the Administrative Office of the United States Courts, must be used, where applicable, in all proceedings under this Plan.

- B. Claims.** Claims for compensation of private attorneys providing representation under the CJA must be submitted via the voucher system. The clerk's office will review the claim form for conformity with the Guidelines for Administering the CJA and Related Statutes (Volume VII, *Guide to Judiciary Policy*) and for mathematical and technical accuracy and, if correct, will forward the claim form for the consideration and action of the judge or United States magistrate judge.
- C. Supersession.** This Plan supersedes all prior CJA Plans of this court.

X. EFFECTIVE DATE

This Plan will become effective when approved by the Judicial Council of the Eighth Circuit.

APPENDIX I

PLAN FOR THE COMPOSITION, ADMINISTRATION, AND MANAGEMENT OF THE PANEL OF PRIVATE ATTORNEYS UNDER THE CRIMINAL JUSTICE ACT

I. COMPOSITION OF PANEL OF PRIVATE ATTORNEYS

A. CJA Panels

1. **Approval.** The court will establish two panels of private attorneys (hereinafter referred to as the “Cedar Rapids CJA Panel” and the “Sioux City CJA Panel,” respectively, and “CJA Panels,” collectively) who are eligible and willing to be appointed to provide representation under the Criminal Justice Act. The court will approve attorneys for membership on the Cedar Rapids CJA Panel and the Sioux City CJA Panel after receiving recommendations from the “Panel Selection Committees,” established under paragraph B of this Plan. Members of the CJA Panels will serve at the pleasure of the court.
2. **Size.** The Cedar Rapids CJA Panel and the Sioux City CJA Panel will be large enough to provide a sufficient number of experienced attorneys to handle the CJA caseload, yet small enough so that members of the CJA Panels will receive an adequate number of appointments to maintain their proficiency in federal criminal defense work, and thereby provide a high quality of representation.
3. **Eligibility.** Attorneys who serve on the Cedar Rapids CJA Panel and attorneys who serve on the Sioux City CJA Panel must be members in good standing of the federal bar of this district and must have demonstrated experience in, and knowledge of, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, and the United States Sentencing Guidelines.

Subsection (b) of the Criminal Justice Act provides, in part, that:

Counsel furnishing representation under the plan shall be selected from a panel of attorneys designated or approved by the court, or from a bar association, legal

aid agency, or defender organization furnishing representation pursuant to the plan.

However, when a United States magistrate judge or judge determines that the appointment of an attorney, who is not a member of the district's CJA Panels, is in the interest of justice, judicial economy or continuity of representation, or there is some other compelling circumstance warranting his or her appointment, the attorney may be admitted to either the Cedar Rapids CJA Panel or Sioux City CJA Panel *pro hac vice* and appointed to represent the CJA defendant. Consideration for preserving the integrity of the panel selection process suggests that such appointments should be made only in exceptional circumstances. Further, the attorney, who may or may not maintain an office in the district, should possess such qualities as would qualify the attorney for admission to the district's Cedar Rapids CJA Panel or Sioux City CJA Panel in the ordinary course of panel selection.

4. ***Equal Opportunity.*** All qualified attorneys will be encouraged to participate in the furnishing of representation in CJA cases, without regard to race, color, religion, sex, sexual orientation, age, national origin, or disabling condition.
5. ***Application.*** Application forms for membership on the CJA Panels will be made available, upon request, by the federal public defender organization. Completed applications will be submitted to the federal public defender organization who will transmit the applications to the chairperson of the Panel Selection Committee.
6. ***Continuing Legal Education.*** The federal public defender will regularly schedule and conduct meetings and programs for attorneys on the CJA Panels. Such meetings and programs will be held at least two times during a calendar year. They will be designed to ensure that attorneys on the CJA Panels are kept current on recent developments in federal criminal law and to present speakers and topics of interest to attorneys who act as appointed counsel under the Criminal Justice Act. Attorneys on the CJA Panels must attend a minimum of six hours of these meetings and programs each calendar year in order to remain a member of the Cedar Rapids CJA Panel or the Sioux City CJA Panel. Attendance at not less than six hours of

other continuing legal education in the area of federal criminal law may, at the discretion of the federal public defender, be substituted for attendance at these meetings and programs.

In addition, all members of the CJA panels are encouraged to contact the federal public defender's office for assistance with questions of federal law and procedure. New members of the CJA panel who have relatively little experience in handling federal criminal cases should contact the federal public defender's office to ask about opportunities to serve as second chair in trials. Lawyers who serve as second chair in these circumstances are not eligible to receive compensation for these services.

7. ***Acceptance of Appointments.*** By serving on one of the CJA Panels, an attorney agrees to accept at least three appointments in the district during each calendar year.

B. Panel Selection Committee

1. ***Membership.*** A Panel Selection Committee in Cedar Rapids and a Panel Selection Committee in Sioux City will be established by the court. The Committees will consist of one district judge, one United States magistrate judge, the clerk of court (or his or her designee), the Chief United States probation officer (or his or her designee), one attorney who is a member of the Cedar Rapids CJA Panel or one attorney who is a member of the Sioux City CJA Panel, and the federal public defender. The Committees will be chaired by the federal public defender.
2. ***Duties.***
 - a. The Panel Selection Committees will meet annually to consider applications for vacancies on the CJA Panels. The Committees will review the qualifications of applicants and recommend, for approval by the court, those applicants best qualified to fill the vacancies.

At their meetings, the Committees will also discuss the status of current members of the CJA Panels, consider whether any members should be removed from the CJA Panels due to

performance issues or for disciplinary reasons, review the operation and administration of the CJA Panels over the preceding year, and recommend to the court any changes deemed necessary or appropriate by the Committees on the appointment process and panel management. The Committees will also inquire annually as to the continued availability and willingness of each panel member to accept appointments. In addition, the Committees will annually furnish information to the court regarding recruitment efforts undertaken by the Committees in furtherance of the Equal Opportunity statement in paragraph I.A.4 of this Plan.

- b. **Removal from a CJA Panel.** Membership on a CJA Panel is not a right. A Panel Selection Committee may determine from time to time that, by reason of information received by the Committee, it should remove a member from the CJA Panel or take other remedial action. Grounds for removal from the CJA Panel include, but are not limited to, refusing to accept appointments on a consistent basis, providing inadequate representation, or engaging in improper or unethical conduct. When a Committee receives information that presents a potential reason to remove a panel member, the Committee will address the issue during one of its biannual meetings, or it may instead call a special meeting.

Before disposing of the issue, the Committee may recommend temporary removal of the panel member from any pending cases, or from the CJA Panel, and it may take any other protective action that is in the best interest of a defendant or the administration of the Criminal Justice Act.

The panel member against whom an allegation is made will receive written notice of the allegation, will be given the opportunity to attend the Committee meeting at which the issue will be addressed, and will be permitted to present information, orally or in writing, in his or her own behalf in response to the allegation. A majority vote of the Committee—taken by written, secret ballot—will decide the issue. If the request to remove the panel member has been initiated by a member of the Committee because of that

member's own assessment of the panel member's deficiencies in representing defendants, that member of the Committee will not vote on the removal question. The Committee's decision will be communicated in writing to the panel member, with reasons stated for the decision.

A panel member who has been removed from a CJA Panel may file an application to be placed back on the CJA Panel no earlier than one year from the date of removal. In the application for reinstatement, the attorney must note the earlier removal and explain why he or she should be permitted to return to the CJA Panel.

None of these procedures should be deemed to create a proprietary interest in being on or remaining on the CJA Panel. *See Roth v. King*, 449 F.3d 1272, 1283-86 (D.C. Cir. 2006).

- c. If, at any time during the course of a year, the number of vacancies due to resignation, removal, or death significantly decreases the size of the Cedar Rapids CJA Panel or the Sioux City CJA Panel, the appropriate Committee will solicit applications for the vacancies, convene a special meeting to review the qualifications of the applicants, and select prospective members for recommendation to the court for approval.

II. SELECTION FOR APPOINTMENT

A. Maintenance of List and Distribution of Appointments

The federal public defender will maintain a current list of all attorneys included on each of the CJA Panels, with current office addresses, e-mail addresses, and telephone numbers, as well as a statement of qualifications and experience. The federal public defender will furnish a copy of these lists to each judge and United States magistrate judge in this district. The clerk's office will maintain a public record of assignments to private counsel and the amount of compensation received by private counsel on each matter. The federal public defender will maintain the statistical data reflecting the

proration of assignments between attorneys for the Federal Public Defender Organization and private attorneys.

B. Method of Selection

Appointments from the list of private attorneys should be made on a rotational basis, subject to the court's discretion to make exceptions due to the nature and complexity of the case, an attorney's experience, and geographical considerations. This procedure should result in a balanced distribution of appointments and compensation among the members of the CJA Panels, and quality representation of each CJA defendant.

Upon the determination of a need for the appointment of counsel, the judge or United States magistrate judge will notify the federal public defender of the need for counsel and the nature of the case.

The federal public defender will advise the judge or United States magistrate judge as to the status of distribution of cases, where appropriate, as between the federal public defender and the CJA Panels of private attorneys. If the United States magistrate judge or judge decides to appoint an attorney from the Cedar Rapids CJA Panel or the Sioux City CJA Panel, the clerk's office will determine the name of the next panel member on the list who has handled, or assisted in, a case of equal or greater complexity than the case for which appointment of counsel is required, and who is available for appointment, and will provide the name to the appointing judge or United States magistrate judge.

In the event of an emergency, i.e., weekends, holidays, or other non-working hours of the federal public defender organization, the presiding judge or United States magistrate judge may appoint any attorney from the list. In all cases where panel members are appointed out of sequence, the appointing judge or United States magistrate judge will notify the clerk's office as to the name of the attorney appointed and the date of the appointment.

III. COMPENSATION—FILING OF VOUCHERS

Claims for compensation must be submitted via the evoucher system. The clerk's office will review the claim form for conformity with the Guidelines for Administering the CJA and Related Statutes (Volume VII, *Guide to Judiciary*

Policy) and for mathematical and technical accuracy and, if correct, will forward the claim form for the consideration and action of the judge or United States magistrate judge.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF THE
HOLIDAY SCHEDULE FOR
FISCAL YEAR 2016**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 15-AO-0009-P

The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will be closed on **Friday, November 27, 2015**. Because the Court will be closed, there will be no Court Security Officers on duty. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 23rd day of September 2015.



**LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
MAGISTRATE JUDGE SELECTION
PANEL**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 15-AO-008-P

In anticipation of the appointment of Magistrate Judge Leonard T. Strand as a United States District Court Judge in Sioux City, Iowa, the United States District Court for the Northern District of Iowa appoints the following Merit Selection Panel to recommend five names to the active district court judges for the appointment of a new magistrate judge. The panel must report to the district court within 90 days of its appointment unless otherwise directed by the court. The following persons are appointed as the Merit Selection Panel:

1. John Gray, Esq. - Chair - Sioux City
2. Stuart Cochrane, Esq. - Fort Dodge
3. Jay Denne, Esq. - Sioux City
4. Tim Duax, Esq. - Sioux City
5. Priscilla Forsyth, Esq. - Sioux City
6. Brad Hansen, Esq. - Sioux City
7. Tim Hill, Esq. - Cedar Rapids
8. Patrick "PJ" Jennings, Esq. - Sioux City
9. Barb Knepper, Community Member - Sioux City

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF THE)
ESTABLISHMENT OF PENALTIES FOR)
VIOLATION OF REGULATIONS)
PROMULGATED BY THE SECRETARY)
OF THE ARMY FOR THE PUBLIC USE)
OF WATER RESOURCE DEVELOPMENT)
PROJECTS UNDER THE JURISDICTION)
OF THE U.S. ARMY CORPS OF)
ENGINEERS)

**PUBLIC
ADMINISTRATIVE ORDER**

No. 15-AO-7-P
(Supersedes 03-AO-0016-P)

The matter before the Court is the determination of a schedule of appropriate penalties for violation of regulations promulgated under Title 16 of the United States Code by the Secretary of the Army to prescribe rules and regulations for the purpose of public use of water resource development projects under the U.S. Army Corps of Engineers' jurisdiction located in the Northern District of Iowa. The Court hereby finds that for the effective, efficient and proper administration of justice in this district, the following schedule of penalties for violations of the above-mentioned regulations committed within the Northern District of Iowa should be established.

IT IS THEREFORE ORDERED that the following penalties for violations of rules and regulations promulgated by the Secretary of the Army for the purpose of public use of water resource development projects under the U.S. Army Corps of Engineers' jurisdiction located in the Northern District of Iowa, as reflected in Exhibit A attached hereto and incorporated herein as though set forth in full, is hereby adopted, effective the date of this Order.

IT IS FURTHER ORDERED that the Magistrate Judges may depart from the fine schedule established by this Order in their discretion based upon the circumstances of the case and the defendant's ability to pay.

IT IS FURTHER ORDERED that anyone charged with violation of any of the above offenses may, within seven days after being so charged, dispose of the matter by sending the appropriate payment to the Clerk of the United States District Court for the Northern District of Iowa at Cedar Rapids, Iowa.

IT IS FURTHER ORDERED that if the fine or penalty is not paid by the person charged with an offense described above within seven days, the matter shall be set for hearing before a United States Magistrate Judge for the Northern District of Iowa.

IT IS FURTHER ORDERED that the United States Magistrate Judges for the Northern District of Iowa, located at Cedar Rapids and Sioux City, are hereby specifically authorized to try persons accused of the offenses listed in Exhibit A, in accordance with Fed. R. Crim. P. 58.

IT IS FURTHER ORDERED that the Clerk of the United States District Court institute an appropriate collateral forfeiture procedure wherein persons may dispose of the offenses charged by mailing in a sum equivalent to the penalty established in the above Order.

Nothing contained in the above Order shall prevent an officer from requiring a mandatory Court appearance by a person charged with any of the above violations when, in the judgment of the officer, the cash payment provided for the violation is inappropriate considering the circumstances surrounding the alleged violations.

This Order supersedes Administrative Order 03-AO-0016-P dated December 15, 2003.

IT IS SO ORDERED.

DATED this 21 day of May, 2015.



Linda R. Reade, Chief Judge
United States District Court
Northern District of Iowa

**US Army Corps of Engineers
Title 36 Collateral Forfeiture Schedule**

Northern District of Iowa

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.1(d)	Discriminating against any person because of sex, race, creed, color, age, nationality or place of origin in the conduct of the operations under the lease, license, or concession contract	\$500.00
327.2(b)	Parking a vehicle in violation of posted restrictions and regulations	\$50.00
	Parking a vehicle as to block traffic	\$100.00
	Parking a vehicle as to impede emergency traffic	\$100.00
	Parking a vehicle as to create a safety hazard or endanger any person	\$100.00
	Parking a vehicle as to endanger property or environmental feature	\$75.00
	Parking a vehicle in handicapped parking space without proper tag or identification	\$200.00
327.2(c)	Operating and/or parking a vehicle off authorized roadways except at locations and times designated by the District Commander	\$125.00
	Taking any vehicle through, around or beyond a restricted sign, recognizable barricade, fence or traffic control barrier	\$275.00
327.2(d)	Operating a vehicle in violation of posted restrictions and regulations	\$125.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.2(e)	Operating a vehicle in a careless, negligent, or reckless manner so as to endanger any person	\$275.00
	Operating a vehicle in a careless, negligent, or reckless manner so as to endanger property or environmental feature	\$250.00
327.2(f)	Using a vehicle in a designated recreation area for purposes other than entering or leaving the area or individual sites or facilities except as authorized	\$75.00
327.2(g)	Operating a vehicle without a proper and effective muffler as defined by state and local laws	\$100.00
	Operating a vehicle with an exhaust muffler cutout open or any other manner which renders the exhaust muffler ineffective in muffling the sound of engine exhaust	\$100.00
327.3(b)	Placing and/or operating any vessel or watercraft for a fee or profit upon project waters or lands except as authorized by permit, lease, license or concession contract with the Department of the Army	\$200.00
327.3(c)	Operating a vessel or watercraft on project waters in prohibited or restricted areas	\$125.00
	Operating a vessel or watercraft on project waters in violation of posted regulations and restrictions, including buoys	\$125.00
	Operating a vessel or watercraft on project waters without display of appropriate registration on board	\$100.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.3(d)	Operating a vessel or watercraft in a careless, negligent or reckless manner so as to endanger any person, property or environmental feature	\$200.00
327.3(e)	Using or allowing the use of a vessel without safety equipment on board in compliance with the U.S. Coast Guard boating safety requirements and in compliance with boating safety laws and enforced by the state in which the vessel is located	\$125.00
327.3(f)	Using a vessel or other watercraft while moored in commercial facilities, community or corporate docks, or at any fixed or permanent mooring point, for overnight occupancy when such use is not incidental to recreational boating	\$125.00
	Using a vessel or other watercraft as place of habitation or residence	\$200.00
327.3(g)	Using water skis, parasails, ski-kites and similar devices in restricted areas	\$175.00
	Using water skis, parasails, ski-kites, or similar devices in a careless, negligent, or reckless manner so as to endanger any property, person or environmental feature	\$235.00
327.3(h)	Failure to remove a vessel not in actual use from the project lands and waters which is not securely moored or stored at designated areas approved by the District Commander	\$200.00
	Placing of floating or stationary mooring facilities on, adjacent to, or interfering with a buoy, channel marker or other navigational aid	\$125.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
	Attaching or anchoring vessels to structures such as locks, dams, buoys or other structures unless authorized by the District Commander	\$200.00
327.3(i)	Using, at a project, a vessel not constructed or maintained in compliance with the standards and requirements established by the National Safe Boating Act of 1971 or promulgated pursuant to such act	\$100.00
327.3(j)	Operating a vessel or watercraft without a proper and effective exhaust muffler	\$200.00
	Operating a vessel or watercraft with an exhaust muffler cutout open, or in any other manner which renders the muffler ineffective in muffling the sound of engine exhaust	\$200.00
327.4(b)	Operating an aircraft on project lands at locations other than those designated by the District Engineer	\$200.00
327.4(c)	Operating an aircraft while on or above project waters or project lands in a careless, negligent or reckless manner so as to endanger any person, property or environmental feature.	\$250.00
327.4(e)	Air delivering or retrieving, except in extreme emergencies threatening human life or serious property loss, any person, material or equipment by parachute, balloon, helicopter or other means onto or from project lands or waters without written permission of the District Commander	\$250.00
327.4(f1)	Operating aircraft other than seaplane	\$200.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.4(f2)	Operating seaplane contrary to the prohibitions or restrictions established by the District Commander	\$175.00
327.4(f3)	Operating a seaplane on project waters contrary to U.S. Coast Guard navigation rules for powerboats or vessels	\$75.00
327.4(f4)	Mooring a seaplane in a prohibited area, or in excess of 24 hours on project waters or lands at a location not permitted by the District Commander	\$75.00
327.4(f4i)	Mooring a seaplane in an unsafe or insecure manner as to damage the rights of the Government or members of the public	\$75.00
327.4(f4ii)	Mooring of a seaplane on project lands or waters by an operator who fails to remain in the vicinity and be reasonably available to relocate the plane	\$75.00
327.4(f5)	Unauthorized commercial operation of a seaplane from project waters	\$200.00
327.4(f6)	Operating a seaplane at Corps projects between sunset and sunrise without approval from the District Commander	\$200.00
327.5(a)	Swimming, wading, snorkeling, or scuba diving at launching sites, designated mooring points, public docks, or other areas designated as prohibited by the District Commander	\$175.00
327.5(b)	Failure to display an international diver down or inland diving flag during underwater activities	\$200.00
327.5(c)	Diving, jumping or swinging from trees, bridges or other structures which cross or are adjacent to project waters	\$100.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.6	Picnicking or related day use activity in a prohibited area	\$125.00
327.7(a)	Camping in an undesignated location	\$125.00
327.7(b)	Camping at one or more campsites for a period longer than 14 days during any 30 consecutive day period without written permission from the District Commander	\$100.00
327.7(c)	Placing camping equipment or other items on a campsite and/or personal appearance at a campsite without daily occupancy for the purpose of reserving that camp site for future occupancy	\$75.00
327.7(d)	Digging or leveling of any ground or the construction of any structure without written permission of the District Commander	\$100.00
327.7(e)	Occupying or placement of any camping equipment at a campsite which is posted or otherwise marked as "reserved" without an authorized reservation for that site	\$75.00
327.8(a)	Hunting in areas or during periods prohibited by the District Commander	\$125.00
327.8(b)	Trapping in areas or during periods prohibited by the District Commander	\$125.00
327.8(c)	Fishing in swimming areas, on boat ramps or other areas designated by the District Commander as prohibited	\$150.00
327.8(d)	Violating additional restrictions pertaining to these activities established by the District Commander	\$100.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.9(a)	Improper disposal of or failure to remove garbage, trash, rubbish, litter, gray water or any other waste material or waste liquid, including human and animal wastes, generated on the project	\$150.00
327.9(b)	Bringing any household or commercial garbage, trash, rubbish, debris, dead animals or litter of any kind onto project for disposal or dumping without written permission from the District Commander.	\$250.00
327.9(c)	Spilling, pumping, discharge or disposal of contaminants, pollutants, or other wastes on project lands or into projects waters	\$200.00
327.9(d)	Failure to keep site free of trash and litter during the period of occupancy	\$100.00
	Failure to clean site and remove all personal equipment upon departure	\$100.00
327.9(e)	Discharging or placing sewage, galley waste, garbage, refuse, or pollutants from any vessel or watercraft into project waters	\$200.00
327.10(a)	Carrying gasoline or any other fuels onto a project or storing same within a project in containers not designed for such purposes without written permission of District Commander	\$100.00
327.10(b)	Failure to confine a fire to areas designated by the District Commander	\$100.00
	Failure to confine a fire in a fireplace, grill, or other facility designated for this purpose	\$100.00
	Leaving fire unattended or failing to completely extinguish prior to departure	\$100.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
	Burning materials that produce toxic fumes including, but not limited to, tires, plastics and other floatation materials or treated wood	\$125.00
327.10(c)	Improper disposal of lighted smoking materials, matches or other burning material	\$125.00
327.11(a)	Bringing or allowing dogs, cats or other pets that are not on a leash under 6 feet in length, penned, caged, or otherwise physically restrained, into developed recreation areas or adjacent waters	\$100.00
	Bringing or allowing an animal or pet, except properly trained animals assisting those with disabilities, in sanitary facilities, playgrounds, swimming beaches or any other area designated by the District Commander	\$125.00
	Allowing an animal or animals to impede or restrict otherwise full and free use of project lands and waters by the public	\$100.00
	Allowing an animal to bark or emit other noise that unreasonably disturbs other people	\$100.00
	Abandonment of any animal on project lands or waters	\$100.00
327.11(b)	Failure to properly remove and dispose of any waste produced by an animal or pet brought or allowed into designated public use areas	\$100.00
327.11(c)	Bringing or allowing horses, cattle or other livestock in camping, picnicking, swimming or other recreation areas or on trails, except in areas designated by the District Commander	\$100.00/head

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.11(d)	Ranging, grazing, watering or allowing unauthorized livestock on project lands or waters	\$100.00 \$10/add'l head
327.11(g)	Possessing or allowing wild or exotic pets and animals (including but not limited to cougars, lions, bears, bobcats, wolves, and snakes), or any pets or animals displaying vicious or aggressive behavior or otherwise posing a threat to public safety or deemed a public nuisance unless authorized by the District Commander	\$100.00
327.12(a)	Entering or using a project in a manner which is contrary to the schedule of visiting hours, closures or restrictions	\$125.00
327.12(b)	Creating excessive noise in a public use area between the hours of 10 p.m. and 6 a.m. or those hours designated by the District Commander, so as to unreasonably disturb another person	\$200.00
327.12(c)	Engaging in any act or conduct which interferes with, impedes, or disrupts the use of the project	\$200.00
	Engaging in any act or conduct which impairs the safety of another person	\$200.00
327.12(d)	Operating or using any audio or other sound producing or motorized equipment, including but not limited to generators, vessels or vehicles, in such a manner as to unreasonably annoy or endanger another person	\$100.00
	Exceeding state or local laws governing noise levels from motorized equipment	\$100.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.12(e)	Possessing and/or consuming alcoholic beverages on any portion of the project land or waters, or the entire project, where designated and posted as prohibited by the District Commander	\$200.00
327.12(f)	Smoking in prohibited areas	\$100.00
327.13(a)	Possessing a loaded firearm, ammunition, loaded projectile firing device, bow and arrows, crossbows, or other weapon except as authorized by the District Commander	\$275.00
327.13(b)	Possessing explosives or explosive devices of any kind, including fireworks or other pyrotechnics, without having obtained written permission from the District Commander	\$250.00
327.14(a)	Destruction, injury, defacement, removal, or any alteration of public property, developed or natural, except when in accordance with written permission from the District Commander	\$275.00
327.14(b)	Cutting or the gathering of trees or parts of trees and/or the removal of wood from project lands without written permission from the District Commander	\$225.00
327.14(c)	Gathering of dead wood on the ground in violation of posted restrictions	\$100.00
327.14(d)	Using metal detectors in areas where prohibited by the District Commander	\$200.00
327.15(a)	Abandoning, storing or leaving unattended, personal property on project lands or waters	\$100.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.15(b)	Placing personal property on Federal lands or waters adjacent to a private residence, facility and/or developments of any private nature for more than 24 hours without permission or the District Commander	\$100.00
327.16	Failure to deposit a found article	\$200.00
327.17	Unauthorized advertising on project lands and/or waters by any means	\$200.00
327.18(a)	Engagement in or solicitation of business on project land or waters without the express written permission of the District Commander	\$200.00
327.18(b)	Refusing or failing to comply with any terms, clauses or conditions of any lease, license or agreements issued by the District Commander	\$200.00
327.19(a)	Refusing or failing to comply with the fee requirements or other terms or conditions of any permit issued under the provisions of this part of 327	\$200.00
327.20	Construction, placement or existence of any structure (including roads, trails, signs, non-portable hunting stands or blinds, buoys, docks or landscape features) of any kind under, upon, in or over project lands or waters without written authorization from the District Commander	\$300.00
	Violation of the terms of a permit, lease, license or other written agreement via the design, construction, placement, existence or use of any structure	\$200.00

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.21(a)	Holding special events including, but not limited to, water carnivals, boat regattas, fishing tournaments, music festivals, dramatic presentations or other special recreation programs without written permission from the District Commander	\$200.00
327.21(b)	Charging of a fee to the public by a sponsor of a special event without written approval of proposed fee schedule from the District Commander	\$150.00
327.22(a)	Occupying any lands, buildings, vessels, or other facilities within water resource development projects as a full or part-time residence without written permission from the District Commander	\$200.00
327.22(b)	Incompliant use of project lands and/or waters for agricultural purposes	\$135.00
327.23(c)	Failure to pay recreation use fees, and/or properly display applicable receipt, permit or pass	\$100.00
327.23(d)	Unauthorized presentation or fraudulent use of a Golden Age or Golden Access Passport to obtain a 50 percent discount from the established use	\$75.00
327.24(a)	Resisting, opposing, impeding, intimidating, or interfering with any civilian official or employee of the U.S. Army Corps of Engineers engaged in, or on account of, the performance of his or her official duties	\$500/ Mandatory appearance
	Forcibly assaulting, attempting to kill or killing any civilian official or employee of the U.S. Army Corps of Engineers engaged in, or on account of, the performance of his or her official duties	Mandatory appearance

<u>Section</u>	<u>Description of Violation</u>	<u>Cash Payment in Lieu of Appearance</u>
327.24(b)	Failing to comply with a lawful order issued by a Federal employee acting pursuant to these regulations	\$250.00/ Mandatory appearance
	Failing to provide a correct name, address or other information deemed necessary for identification upon request of Federal employee that is authorized to issue citations in the performance of his or her official duties	\$150.00

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
REFILLING MASTER JURY WHEEL

**PUBLIC
ADMINISTRATIVE ORDER**

No. 15-AO-0002-P

It having been brought to the court's attention that under the Amended Plan for the Random Selection of Grand and Petit Jurors for the United States District Court for the Northern District of Iowa ("Plan"), the Master Jury Wheel is due to be refilled.

IT IS HEREBY ORDERED

1. That the Master Jury Wheel for the Cedar Rapids-Eastern Division, Central Division and Western Division of this district shall be refilled by not later than July 1, 2015.

2. Pursuant to Sections D and T of the Plan, the Director of Voter Registration for the State of Iowa is authorized to carry out by automated methods the instructions and orders of this court, relating to the selection and recording of prospective juror names to be extracted from the "supplemented lists" as defined in Section D of the Plan.

3. In the Cedar Rapids-Eastern Division, the selection shall commence with the selection and recording of the 15th name on said list(s), and then to select every 85th name thereafter, continuing in this manner through the entire designated list(s).

In the Central Division, the selection shall commence with the selection and recording of the 22nd name on said list(s), and then to select every 62nd name thereafter, continuing in this manner through the entire designated list(s).

In the Western Division, the selection shall commence with the selection and recording of the 1st name on said list(s), and then to select every 34th name thereafter, continuing in this manner through the entire designated list(s).

4. The names of the persons selected and recorded are to be treated as confidential and are not to be furnished to any other person or organization nor used for any purpose other than for use in refilling this court's Master Jury Wheel under the Plan.

5. The Director of Voter Registration for the State of Iowa, after drawing the names as set forth above, shall promptly provide a list of names in the form previously agreed to with the Clerk of this court.

6. The Clerk shall then cause the questionnaires to be mailed to all names on the list and is authorized to subcontract the mailing provided appropriate measures are made to protect the confidentiality of the names listed.

7. Prior to refilling the Master Jury Wheel, the Clerk shall draw sufficient names at random from the existing Master Jury Wheel to satisfy the need for jurors in this district while the Qualified Wheel is being refilled. Upon filling of the new Master Jury Wheel, this will officially replace the old Master Jury Wheel. Upon refilling the new Qualified Jury Wheel, the old wheel will be officially terminated.

IT IS SO ORDERED.

DATED this 5th day of February, 2015.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

10. Paul Lundberg, Esq. - Sioux City
11. Amy McFarland, Community Member - Sioux City
12. Maria Rundquist, Community Member - Sioux City
13. Corey Wrenn, Community Member - Sioux City

IT IS SO ORDERED this 29th day of July, 2015.



Linda R. Reade, Chief Judge
United States District Court
Northern District of Iowa

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF THE
HOLIDAY SCHEDULE FOR
FISCAL YEAR 2015

PUBLIC
ADMINISTRATIVE ORDER

No. 14-AO-0004-P

The offices of the United States District Court for the Northern District of Iowa, including those of the Clerk of Court and Probation, will be closed on **Friday, November 28, 2014** and **Friday, December 26, 2014**. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any holiday schedule with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer, the Federal Public Defender, the General Services Administration, and to disseminate the order to the federal bar and public.

IT IS SO ORDERED.

DATED this 14th day of October 2014.


LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

APPOINTMENT OF
FULL-TIME UNITED STATES
MAGISTRATE JUDGE AT
CEDAR RAPIDS, IOWA

**PUBLIC
ADMINISTRATIVE ORDER**

No. 14-AO-0003P

In accordance with 28 U.S.C. Section 631, et seq., and the further authority granted and action taken by the Judicial Conference of the United States,

IT IS HEREBY ORDERED that Jon Stuart Scoles is hereby reappointed to serve as a full-time United States Magistrate Judge for the Northern District of Iowa at the salary as may from time to time be fixed by the Judicial Conference of the United States, with his official duty station at Cedar Rapids, Iowa.

Magistrate Judge Jon Stuart Scoles shall enter upon the performance of the duties on the 20th day of March, 2015, but prior to commencement of such duties, he shall take the oath or affirmation as prescribed by 28 U.S.C. Sections 453 and 631(g).

Magistrate Judge Jon Stuart Scoles shall hold and discharge the duties of his office for a term of eight (8) years from the date of his reappointment, subject to the provisions of 28 U.S.C. Section 631(I), unless sooner removed.

Magistrate Judge Jon Stuart Scoles shall have the powers, authority and jurisdiction to perform all duties within the Northern District of Iowa which are conferred and imposed by law upon United State Magistrate Judges.

IT IS FURTHER ORDERED that Magistrate Judge Jon Stuart Scoles is hereby specifically designated to try persons accused of and sentence persons convicted of minor

offenses as defined by 18 U.S.C. Section 3401.

The Clerk will cause certified copies of this Order to be spread upon the records of all divisions of this Court and shall likewise forward a certified copy of this Order to the Director of the Administrative Office of the United States Courts, as required by 28 U.S.C. Section 631(h).

IT IS SO ORDERED.

DATED this 15th day of September, 2014.



Linda R. Reade, Chief Judge
United States District Court

Certified original placed in Public Administrative Order Book.

Certified copy of this Order disbursed on this 15th day of September, 2014 via email to:

The Honorable John D. Bates, Director, Administrative Office of the United States
Chief Judge Linda R. Reade
Sr. Judge Edward J. McManus
Chief Magistrate Judge Jon S. Scoles
Judge Mark W. Bennett
Senior Judge Donald E. O'Brien
Magistrate Judge Leonard T. Strand
Robert Phelps, Clerk of Court
U.S. Attorney's Office - Cedar Rapids and Sioux City
U.S. Probation Office - Cedar Rapids and Sioux City
U.S. Marshal's Office - Cedar Rapids and Sioux City
Federal Public Defenders Office - Cedar Rapids and Sioux City
Nicole Lennon-Fisher, Administrative Manager,
Justin Knudson, Docketing Supervisor, Cedar Rapids
Kim Schwartz, Deputy in Charge, Sioux City Divisional Office
Bryan Woodward for posting on the NDIA external website.



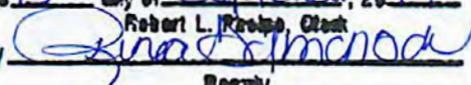
Renea Solmonson
Chief Deputy

I, the undersigned Clerk of the United States District Court for the Northern District of Iowa, do certify that the foregoing is a true copy of an original document remaining on file and record in my office.

WITNESS my hand and seal of said Court

the 15 day of September, 2014

Robert L. Phelps, Clerk

By 
Deputy



**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

ORDER AMENDING COURT
REPORTING MANAGEMENT PLAN

**PUBLIC
ADMINISTRATIVE ORDER**

(Supercedes 03-AO-0008)
No. 14-AO-0002-P

The Amended Court Reporting Management Plan for the Northern District of Iowa, dated July 1, 2014, and approved by the Eighth Circuit Judicial Council on July 18, 2014, is adopted effective July 29, 2014.

IT IS SO ORDERED.

DATED this 29th day of July, 2014.



Linda R. Reade, Chief Judge
UNITED STATES DISTRICT COURT

United States Courts
Judicial Council of the Eighth Circuit
Thomas F. Eagleton United States Courthouse
111 South 10th Street – Suite 26.325
St. Louis, Missouri 63102-1116

Millie B. Adams
Circuit Executive

Voice (314) 244-2600
Fax (314) 244-2605
www.ca8.uscourts.gov

EIGHTH CIRCUIT JUDICIAL COUNCIL

ORDER

I hereby certify that the Eighth Circuit Judicial Council has approved the amended Court Reporting Management Plan for the Northern District of Iowa, as adopted by the court on July 1, 2014.



Millie B. Adams
Circuit Executive

St. Louis, Missouri
July 18, 2014

cc: Judicial Council Members
Chief Judge Linda R. Reade
Robert L. Phelps, Clerk of Court
Administrative Office

Approval was given by the Court Reporter Management Committee.

JCO 2561

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
COURT REPORTING MANAGEMENT PLAN
JULY 1, 2014**

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I. ADOPTION OF PLAN BY THE COURT

This plan for the effective control and management of court reporting services, which includes the utilization of official court reporters, contract or per diem court reporters and courtroom deputies utilizing digital court recording software, is adopted by the United States District Court for the Northern District of Iowa. It is subject to the final approval by the Eighth Circuit Judicial Council and the rules and regulations that the Judicial Conference of the United States may adopt. This plan applies to all court reporters serving in any capacity, that is, official, temporary, contract or per diem, in the Northern District of Iowa and provides information on the day-to-day operation and management of the court reporting component within the court. The *Guide to Judiciary Policy* (“*The Guide*”) provides more detailed guidelines and procedures regarding court reporting in the federal judiciary. See *The Guide*, Volume 6. This plan is intended as a supplement to the provisions set forth in the Court Reporters Act, 28 U.S.C. § 753, and *The Guide*. When approved, this plan will supersede the court reporter management plan that has been in effect in the Northern District of Iowa since January of 2003.

II. EMPLOYMENT

Only court reporters fully qualified under the terms of 28 U.S.C. § 753(a) will be appointed. The court prefers applicants who have successfully completed the certified realtime reporter examination or are at least proficient in realtime reporting. Court reporters will provide realtime reporting to the court at no additional cost to the court.

Official court reporters are employed pursuant to 28 U.S.C. § 753 and the policies of the Judicial Conference of the United States and the Administrative Office of the United States Courts (“AO”). Official court reporters are appointed for the court en banc and are neither directly employed by nor part of the personal staff of an individual district judge. Nonetheless, for ease of scheduling and administration, each official court reporter may be primarily assigned to one district judge. The district judge headquartered in Cedar Rapids, Iowa, is responsible for supervising the official court reporter employed at that location, and the district judge headquartered in Sioux City, Iowa, is responsible for supervising the official court reporter employed at that location. The district judge acts as the day-to-day supervisor of the assigned official court reporter, and the district judge’s supervision of the assigned official court reporter includes matters such as tour of duty, leave and scheduling.

A. Duties of Supervising Judge or Clerk of Court

The court, en banc, in accordance with *The Guide*, Volume 6, Chapter 1, § 130.25, delegates to the clerk of court or supervising judge or designee administrative matters such as:

- (a) monitoring the overall workload with the goal of fairly and efficiently distributing the work that all court reporters do and minimizing the travel of official court reporters, the use of contract court reporters and other costs to the court;**
- (b) overseeing the relationship between a court reporter and parties, attorneys, court staff and fellow court reporters;**
- (c) monitoring all requests for transcripts;**
- (d) conducting periodic review of transcripts to ensure full compliance with format requirements of the AO and the Judicial Conference of the United States;**
- (e) conducting periodic review of records to ensure proper recording;**
- (f) conducting periodic review of order and billing records to ensure that authorized transcript rates are charged, that billing is in proper form and that transcripts are prepared in a timely manner;**
- (g) verifying compliance with the recording, certifying and filing provisions of 28 U.S.C. § 753(b), which includes but is not limited to those that pertain to proceedings recorded by shorthand, mechanical means, electronic sound recording or any other method of all criminal arraignments, pleas and proceedings made in connection with the imposition of a sentence;**
- (h) reviewing records to ensure that all notes and audio recordings are maintained in accordance with 28 U.S.C. § 753(b) and this plan;**
- (i) conducting periodic review of time and attendance records to ensure proper maintenance and accuracy;**

(j) reviewing records to ensure timely submission and filing of reports required by the AO and Judicial Conference of the United States;

(k) acting as a liaison to the courts of appeals on matters pertinent to court reporters serving in the Northern District of Iowa and transcript production pursuant to Federal Rule of Appellate Procedure 11(b);

(l) conducting periodic review of budget, salary, benefits, travel, space and facilities needs;

(m) administering discipline or sanctions pursuant to the provisions of this plan or the court's policies and guides; and

(n) performing other duties as the court directs, such as compiling and maintaining records relating to leave and other administrative benefits.

Newly-appointed official court reporters serve a probationary period of one year which may be extended or termed. To the extent feasible, all newly-appointed official court reporters must be proficient in realtime reporting or achieve realtime reporting proficiency within one year of entrance on duty. All court reporters are encouraged to provide realtime upon request, and, if providing realtime, they must comply with the realtime reporting standards promulgated by the Judicial Conference of the United States.

An appointment as an official court reporter constitutes an appointment as an official court reporter for the court en banc. Official court reporters continue to retain employment regardless of the resignation, retirement or death of an individual district judge. During the period between such an occurrence and the appointment of a new district judge, an official court reporter continues to serve other reporting needs of the court.

Official court reporters have no vested right of employment. After obtaining the approval of the court en banc, the clerk of court may terminate an official court reporter with or without cause. Periodic reviews of an official court reporter's performance may be conducted by the supervising judge. When evaluating an official court reporter's performance, the clerk of court will discuss work performance factors with the supervising district court judge. An official court reporter may be subject to disciplinary action and/or dismissed from service to the court if the official court reporter fails to perform competently or satisfactorily or fails to comply with the provisions of this plan. Further, if at any time, in the judgment of the court, the volume of work or budget of the Northern

District of Iowa does not justify retention of the full complement of existing official court reporters, a reduction may be accomplished through relocation, through attrition or by termination after providing notice that is not less than 60 days.

B. Duties of Court Reporters

All court reporters are appointed by the clerk of court and serve at the pleasure of the court en banc. In the performance of their duties, all court reporters of the Northern District of Iowa must follow: the statutory requirements of 28 U.S.C. § 753; the administrative practices defined in *The Guide*; the administrative practices defined in this plan; and such other polices as set forth by the court.

C. Leave Act

At its September 1987 meeting, the Judicial Conference of the United States adopted a policy that requires official court reporters in the same court location to have the same status, that is, either all under the Leave Act, 5 U.S.C. § 6301, et seq., or all not under the Leave Act. Official court reporters who are under the Leave Act accrue and use sick and annual leave just as other deputy clerks do, and, when they are absent, the court is responsible for providing court reporting coverage. A contract court reporter or a per diem court reporter will be obtained when an official court reporter who is under the Leave Act requests leave, the supervising district judge is in court and another official court reporter is not available or a cost analysis does not justify the use of another official court reporter. Official court reporters who are under the Leave Act have regular office hours at the courthouse, that is, a regular tour of duty, and during those hours they are not permitted to perform freelance work.

Official court reporters who are not under the Leave Act do not accrue sick leave or annual leave and must provide their own substitute when they are absent. They also do not have any set office hours at the courthouse, that is, no regular tour of duty, so they can perform freelance work any time that they are not needed in court. Also, pursuant to *The Guide*, if a court reporter who is not covered by the Leave Act is unavailable for court and cannot provide a substitute reporter, he or she is to be placed in a non-pay status for the time period that another court reporter has to be paid by the court. *See The Guide*, Volume 6, Chapter 2 § 240.50.

In the Northern District of Iowa, there are two official court reporters. One official court reporter is located in Cedar Rapids, Iowa and the other official court reporter is located in Sioux City, Iowa. Both official court reporters are under the Leave Act. An

official court reporter that ends his or her tour of duty will be replaced with an official court reporter who is under the Leave Act.

D. Time and Attendance

For official court reporters, the core hours during which they are generally expected to be at the courthouse are 8:00 a.m. to 5:00 p.m., Monday through Friday, but each official court reporter must be available outside regular core hours if directed to do so by the supervising district judge. Compensatory time may be accumulated as determined by the supervising judge. In the Northern District of Iowa specific core hours are determined by the supervising judge in each courthouse. Official court reporters remain on official duty during those hours unless on approved leave status. The hours of official court reporters may be altered for any given day/week with the approval of the supervising district judge. On a day-to-day basis, leave is approved by the supervising district judge. Official court reporters are encouraged to take leave when the supervising district judge is not scheduled to be in the courtroom. For tracking purposes, an official court reporter is required to obtain permission to take leave from their supervising judge, then enter his or her leave request into the automated leave tracking system (“Electronic Leave Management Resource or ELMR”) for approval by the clerk of court.

E. Assignment of Official Court Reporters

The Northern District of Iowa is authorized one official court reporter for each active district judge. However, it is the policy of the Northern District of Iowa that, although official court reporters are not permanently assigned to individual district judges, all non-supervising reporting assignments are to be co-ordinated between the court reporter and the supervising district judge whom the official court reporter is ordinarily assigned.

Contract reporters will be hired for trials and hearings conducted by senior district judges, visiting district judges and magistrate judges only when an official court reporter is not available at the location where the trial or hearing is to take place. Subject to the approval of the supervising district judge, any official court reporter may be assigned to serve a senior district judge, visiting district judge or magistrate judge. Such assignment must be made in a manner designed to reduce the overall costs of providing necessary court reporting within the Northern District of Iowa.

F. Employment and Assignment of Additional Court Reporters

The clerk of court or designee is directed to arrange for court reporting coverage, to monitor the court schedule and manage reporting assignments so as to minimize the use

of contract court reporters or per diem court reporters and to minimize any travel. Every reasonable effort will be made through scheduling to reduce the need for reporting services by contract court reporters and per diem court reporters and to minimize travel by them. If court reporting services are required beyond what can be provided by the two official court reporters, contract court reporters or per diem court reporters will be hired on an as-needed basis and paid for by the court. Contract court reporters are those from a firm that has been awarded a contract for court reporting by the court. Per diem court reporters are also hired on an as-needed basis but do not have a long term contract with the court, and, therefore, they are called from a rotational list of qualified area court reporters. Contract court reporters and per diem court reporters must be fully qualified under the standards adopted by the Judicial Conference of the United States and must adhere to transcript format and rate schedules in the same manner as official court reporters. The contract offered to a contract court reporter and any arrangement with a per diem court reporter will incorporate the relevant terms and conditions of this plan.

III. REPORTING SERVICES FOR MAGISTRATE JUDGES

Some proceedings before magistrate judges are recorded by courtroom deputies using digital sound recording equipment. *See The Guide*, Volume 6, Chapter 1 § 115.20. These courtroom deputies are employed by the clerk's office and are responsible for the accurate and proper verbatim recording of court proceedings. When a request is made for a digitally recorded proceeding to be transcribed, the clerk's office will arrange for an official court reporter or qualified transcriber to transcribe the proceeding. Official court reporters who are assigned to transcribe a digitally recorded proceeding will access the proceeding from the court's network. When a magistrate judge determines that a court reporter is required by a specific rule or statute or by the particular circumstances of the case, the magistrate judge's staff will request reporting coverage from the clerk's office and such person will review the official court reporters' assignments and arrange for court reporting of the proceeding. *See The Guide*, Volume 6, Chapter 4.

IV. FREELANCE REPORTING

Freelance reporting is reporting that is not required in the discharge of official duties. Official court reporters may not engage in freelance reporting or transcribing activities or other private business of any kind, which includes providing deposition services and reporting services for grand juries, during their regular tours of duty. Official court reporters may perform freelance reporting during their employment with the court provided that such work is during non-core working hours and their supervising district judge approves. Official court reporters will be allowed to take leave during core working hours to perform private work if their supervising judge approves. An official court

reporter who plans to engage in freelance reporting must obtain from their supervising district judge written approval that grants him or her permission to perform such work. The letter from the supervising district judge will be placed in the official court reporter's personnel file.

V. TRANSCRIPTS

All reporters are required to receive, process, and fulfill transcript requests according to the specifications in *The Guide*, Volume 6, Chapter 5, and the policies of the Judicial Conference of the United States. The supervising judge may monitor the transcript order and delivery process, including timeliness, rates charged and compliance with national policies, for appeal transcripts, Criminal Justice Act transcripts and private transcripts. Overcharging for services or transcripts provided to the court, counsel or the requesting party will result in the official court reporter or court reporter being required to make restitution to the ordering party or the court, and an official court reporter may also be subject to disciplinary action, including dismissal, at the discretion of the court en banc. See *The Guide*, Volume 6, Chapter 5 § 530.95. The court and the court of appeals may each sanction an official court reporter who habitually files late transcripts. A reduction in fees may be ordered to be credited to the ordering party by the supervising judge.

In multi-defendant cases that involve more than one Criminal Justice Act defendant, no more than one transcript should be purchased from the official court reporter on behalf of the Criminal Justice Act defendants. One of the appointed counsel or the court reporter will arrange for duplication of the transcript at a commercially competitive rate for each defendant for whom a transcript was approved. The cost of duplication will be charged to the Criminal Justice Act appropriation.

The authorized fee schedule promulgated by the Judicial Conference sets forth the fees to be charged for ordinary, 14 day, expedited, and realtime transcripts. No reporter employed by the court may charge fees for transcripts which exceed the authorized fee schedule of the Judicial Conference of the United States. No reporter employed by the court may charge fees for services not authorized by the Judicial Conference of the United States. Current fee schedules are available through the clerk's office website.

A copy of each transcript prepared is required to be filed with the office of the clerk of court following the CM/ECF procedures established by the court at no cost to the court.

No transcripts of court proceedings shall be considered official except those made from the records certified by the court reporter. 28 U.S.C. § 753(d). Proceedings

recorded by the courtroom deputy using digital sound recording equipment are saved on a server within the information technology ("IT") department. Public requests for digitally recorded proceedings are made through the clerk's office. Normally an official court reporter is available to transcribe digital sound recordings at the request of any party and create the official record. If a party requests a digital copy of an electronic recording, the clerk's office will request and receipt for payment of fees required and make delivery arrangements. The clerk's office will create a CD of the proceeding, checking quality during creation. In the event that a proceeding is being reported by a court reporter and is also recorded by FTR Gold, the official transcript can only be purchased from the court reporter who provided reporting services.

VI. RECORDS AND REPORTS

Records of court proceedings are required to be kept by all reporters. *See The Guide*, Volume 6, Chapter 1 § 140.55. So that the integrity of the record is preserved, original paper notes of official court reporters are to be maintained under suitable conditions in the courthouse. The clerk's office will preserve them in the public records for not less than ten years. Non-official court reporters are responsible for maintaining their original paper notes for not less than ten years. These records may periodically be transferred to the Federal Records Center, and would then be destroyed in accordance with *The Guide*, Volume 10, Chapter 6, Appendix 6B.

To further fulfill the archiving of notes requirements that are outlined in 28 U.S.C. § 753(b), all reporters must save their raw, original notes in Portable Document Format ("PDF"). Within 90 days of a proceeding, all official court reporters must submit their PDF notes for storage. Court reporters may utilize CM-ECF to electronically file PDF notes in the appropriate case. Notes may also be stored in a folder within the court's network. Official court reporters will verify the successful transfer of their PDF notes to storage. Official notes of all court reporters stored in CM/ECF will be filed under the "court only" restriction level, but will be made available for public inspection upon request. The steno notes are not to be copied or distributed. Contract and per diem court reporters also must save their raw, original notes in Portable Document Format ("PDF") and should be prepared to provide such at the request of the court.

Official court reporters are required to complete and submit reports as directed by the Administrative Office (AO). Reports are submitted to the Clerk's Office for approval via the Automated Court Reporter Application ("ACRA") system. The Clerk's Office approves and then submits them for official filing at the AO.

A. Attendance and Transcripts of United States Court Reporters (AO 40A)

This report is submitted quarterly and reports days in court and transcripts produced. Instructions for completion of each element of the report can be found in *The Guide*, Volume 6, Chapter 1 § 140.30. Official court reporters must submit this via ACRA so that it can be approved and submitted to the AO no later than 20 days after the quarter closes, that is, April 20, July 20, October 20, and January 20 for the preceding quarter. In the event that an official court reporter retires, resigns or is otherwise separated, Form AO 40A must be filed within 20 days from the date of separation.

B. Statement of Earnings of United States Court Reporters (AO 40B)

This report is submitted annually and reports the income and expenses of official court reporters, not non-official court reporters. Official court reporters must submit this via ACRA so that it can be approved and submitted to the AO no later than April 15 of each year for the prior calendar year. In the event that an official court reporter retires, resigns or is otherwise separated, Form AO 40B must be filed within 60 days from the date of separation, even if employment for the year was only partial.

C. Other Forms

The following forms are available to aid official court reporters in recording and tracking the information required on the above mandatory reports. Expense Ledger (Form AO 37), Attendance Ledger (Form AO 38), Transcript Order and Collections Ledger (Form AO 39) and Invoice (Form AO 44).

VII. EQUIPMENT AND SPACE

Official court reporters are both court employees and independent contractors, so there is a division between what equipment is provided by the court, and what is provided by the official court reporter. *See generally The Guide*, Volume 6, Chapter 2 § 260. The court provides office space to official court reporters according to the preference of the supervising district judge, what is reasonably available in the courthouse and the U.S. Courts Design Guide, including sufficient electrical connections for equipment needed to produce official transcripts. Official court reporters are provided furnishings from available supplies and are authorized up to Level C furniture depending upon the availability of funds.

Official court reporters, contract court reporters and per diem court reporters are responsible for purchasing all equipment and supplies used to report proceedings and

produce transcripts. The court is responsible for software to enable judges to view realtime. IT staff are available to help maintain efficient operation of the courtroom, which includes realtime.

Official court reporters are authorized to access the Data Communications Network ("DCN"), which is the judiciary's secure network, for official purposes. The court provides the equipment and connectivity to enable official court reporters to work effectively and to submit required reports electronically.

VIII. EFFECTIVE DATE

This Court Reporting Management Plan replaces all previous court reporting plans for the United States District Court for the Northern District of Iowa, and will become effective upon being approved by the Judicial Council of the Eighth Circuit.

DATED this 1st day of July, 2014.



**LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**



**MARK W. BENNETT, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

IN THE UNITED STATES DISTRICT COURTS
SOUTHERN AND NORTHERN DISTRICTS OF IOWA

FILED

MAR 18 2014

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF IOWA

IN THE MATTER OF

EXERCISE OF ADJOINING DISTRICT
JURISDICTION BY UNITED STATES
MAGISTRATE JUDGES

Southern District of Iowa
Public Administrative Order
No. 14 - AO - 3 - P

Northern District of Iowa
Public Administrative Order
No. 14 - AO - 1 - P

Pursuant to 28 U.S.C. § 631(a), and in accordance with actions taken by the Judicial Conference of the United States on March 15, 1994,

IT IS ORDERED that the full-time and recalled magistrate judges in the Southern District of Iowa are authorized to serve in the adjoining Northern District of Iowa; and

The full-time and recalled magistrate judges in the Northern District of Iowa are authorized to serve in the adjoining Southern District of Iowa.

This authorization being given for the purpose of carrying out any of the duties of magistrate judges specified in 28 U.S.C., 18 U.S.C., and the Local Rules and administrative orders of the Southern District of Iowa and the Northern District of Iowa.

Dated this 18th day of March, 2014.


LINDA R. READE, Chief Judge
Northern District of Iowa


JAMES E. GRITZNER, Chief Judge
Southern District of Iowa

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL AND WESTERN DIVISIONS

IN RE:
SOCIAL SECURITY CASES

ADMINISTRATIVE ORDER
REFERRING CASES TO
MAGISTRATE JUDGE

No. 13-AO-0004-P

The court finds that actions assigned to the undersigned for judicial review of administrative actions by the Social Security Administration on individual applications for benefits may properly be delegated to full-time United States Magistrate Judge Leonard T. Strand pursuant to the provision of 28 U.S.C. § 636(b)(1)(B). It is therefore ordered that, upon filing, such actions, in their entirety, shall be, and hereby are, referred to United States Magistrate Judge Leonard T. Strand for review of the record and the pleadings, the conduct of any necessary evidentiary hearings, the hearing of any oral argument that may be necessary, and the submission to the undersigned of a report and recommended disposition of the case.

IT IS SO ORDERED.

DATED this 9th day of November, 2013.


MARK W. BENNETT
U.S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA

This Administrative Order supersedes Administrative Order #1447 dated 10/04/1999.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
APPOINTMENT OF
SEAN R. BERRY AS
UNITES STATES ATTORNEY

**PUBLIC
ADMINISTRATIVE ORDER**

No. 13-AO-0003-P

Pursuant to Title 28, United States Code, Section 546(d), Sean R. Berry is appointed as the United States Attorney for the Northern District of Iowa, effective August 13, 2013.

IT IS SO ORDERED.

DATED this 24th day of July, 2013 .


LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
ELECTRONIC CASE FILING
PROCEDURES MANUAL,
AMENDED APRIL 17, 2013**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 13-AO-0002-P

The Electronic Case Filing Procedures Manual amended April 17, 2013 and published on the court's website is hereby approved and adopted effective immediately.

IT IS SO ORDERED.

DATED this 18th day of April, 2013.



**LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**



**MARK W. BENNETT, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

WAIVER OF PACER FEES

OFFICE ADMINISTRATION
ADMINISTRATIVE ORDER

No. 13-AO-0001-P

In order to avoid unreasonable burden to promote public access to court electronic records, the court finds that based upon Paul Stancil's, Law Professor at the University of Illinois College of Law, currently visiting at the J. Reuben Clark Law School at BYU, application, he has demonstrated the need for a waiver of the PACER fee schedule. Paul Stancil's account number is UI0217 and fees related to accessing the electronic records for the United States District Court for the Northern District of Iowa should be waived for a period of one year, from May 10, 2013, to May 10, 2014.

IT IS SO ORDERED.

DATED this 9th day of May, 2013.



LINDA R. READE, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

DECEMBER HOLIDAY SCHEDULE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 12-AO-0009-P

The United States District Court for the Northern District of Iowa, including the Clerk of Court and Probation offices, will be closed on Monday, December 24, 2012. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any schedule he or she desires regarding this date with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer and the Federal Public Defender.

IT IS SO ORDERED.

DATED this 19th day of November, 2012.


LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

RELOCATION TO NEW CEDAR
RAPIDS COURTHOUSE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 12-AO-0008-P

The Cedar Rapids Division of the United States District Court for the Northern District of Iowa will be closed for court business on Thursday, November 1, 2012 and Friday, November 2, 2012. Employees will report on their regular schedule and as required for relocation activities. The Sioux City Division will remain open for all court business and questions about district court filings may be directed to the Clerk's Office in Sioux City at (712) 233-3900. Electronic filing will remain available.

The Cedar Rapids Division will reopen for court business on Monday, November 5, 2012 at their new location of 111 Seventh Avenue, Cedar Rapids, Iowa, 52401.

The Clerk is directed to post this order on the court's website and to transmit copies of this order to the local bar, the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer and the Federal Public Defender.

IT IS SO ORDERED.

DATED this 5th day of September 2012.


LINDA R. READE
CHIEF JUDGE
UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF

HOLIDAY SCHEDULE FOR FISCAL
YEAR 2013

**PUBLIC
ADMINISTRATIVE ORDER**

No. 12-AO-0007-P

The United States District Court for the Northern District of Iowa, including the Clerk of Court and Probation offices, will be closed on Friday, November 23, 2012. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

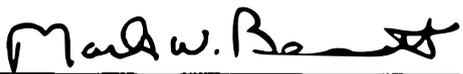
Each District Judge and Magistrate Judge may adopt any schedule he or she desires regarding this date with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer and the Federal Public Defender.

IT IS SO ORDERED.

DATED this 4th day of September 2012.


LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
NORTHERN AND SOUTHERN DISTRICTS OF IOWA**

IN THE MATTER OF

AMENDMENT OF LOCAL RULE 83.1.e -
CONTINUING LEGAL EDUCATION
COORDINATOR

ORDER

Public Administrative Order

N.D. No. 12 - AO - 4 - P

S.D. No. 12 - AO - 2 - P

Pursuant to changes in the Continuing Legal Education (CLE) Coordinator position agreed upon by the undersigned, this Order amends and is hereby substituted for Local Rule 83.1, "Lawyers", at Section e, "CLE Coordinator".

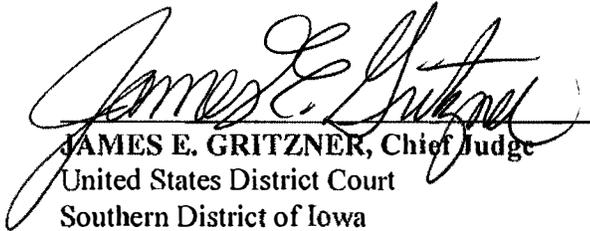
c. CLE Coordinator.

- 1. Appointment.** A CLE Coordinator will be appointed jointly by the Northern and Southern Districts of Iowa to oversee the administration of the continuing legal education requirements of this rule under the direction of the court.
- 2. Term.** The CLE Coordinator will be appointed for a term of two years, and shall be reimbursed an amount agreed upon by the Northern and Southern Districts of Iowa, from Attorney Admission Fee Funds.
- 3. Duties.** The CLE Coordinator will have the responsibility for monitoring and administering the CLE requirements of this rule, including the following:
 - A.** The determination of the particular courses, legal programs, or other professional activities for which CLE credit should be given;

- B. The number of hours of credit to be received;
- C. The carryover provisions; and
- D. Any other matter relating to the CLE requirements of this rule.

IT IS SO ORDERED.

DATED this 24th day of September, 2012.


JAMES E. GRITZNER, Chief Judge
United States District Court
Southern District of Iowa


LINDA R. READE, Chief Judge
United States District Court
Northern District of Iowa

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF APPOINTMENT
OF CHIEF MAGISTRATE JUDGE**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 12-AO-0003-P

The Honorable Jon S. Scoles is hereby designated Chief Magistrate Judge for the United States District Court for the Northern District of Iowa, effective June 9, 2012.

IT IS SO ORDERED.

DATED this 7th day of June, 2012.


LINDA R. READE
CHIEF JUDGE
UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
APPOINTMENT OF UNITED STATES
MAGISTRATE JUDGE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 12-AO-0002-P

In accordance with the authority conferred by 28 U.S.C. Section 631, et seq., and the further authority and action taken by the Judicial Conference of the United States,

IT IS HEREBY ORDERED that Leonard T. Strand be and is hereby appointed as full-time United States Magistrate Judge for the Northern District of Iowa with his official duty station at Sioux City, Iowa.

Magistrate Judge Leonard T. Strand shall enter upon the performance of his duties at 08:00 A.M. on the ninth day of June, 2012, but prior to the commencement of such duties, he shall take the oath or affirmation prescribed by 28 U.S.C. Sections 453 and 631(g).

Magistrate Judge Leonard T. Strand shall hold and discharge the duties of his office for a term of eight (8) years from the date of his appointment subject to the provisions of 28 U.S.C. Section 631(i), unless sooner removed.

Magistrate Judge Leonard T. Strand shall have the powers, authority and jurisdiction to perform all duties within the Northern District of Iowa which are conferred and imposed by law upon United States Magistrate Judges.

IT IS FURTHER ORDERED that Magistrate Judge Leonard T. Strand is hereby specifically designated to try persons accused of and sentence persons convicted of minor offenses as defined by 18 U.S.C. Section 3401.

The Clerk will cause certified copies of this Order to be published and shall likewise forward a certified copy of this Order to the Director of the Administrative Office of the United States Courts, as required by 28 U.S.C. Section 631(h).

IT IS SO ORDERED.

DATED this 7th day of June, 2012.


LINDA R. READE
CHIEF JUDGE
UNITED STATES DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
NORTHERN AND SOUTHERN DISTRICTS OF IOWA**

IN THE MATTER OF

PLAN FOR REPRESENTATION OF
INDIGENT PRISONER PLAINTIFFS IN
CIVIL RIGHTS CASES

ORDER

Public Administrative Order

N.D. No. 12 - AO - 1 - P

S.D. No. 12 - AO - 1 - P

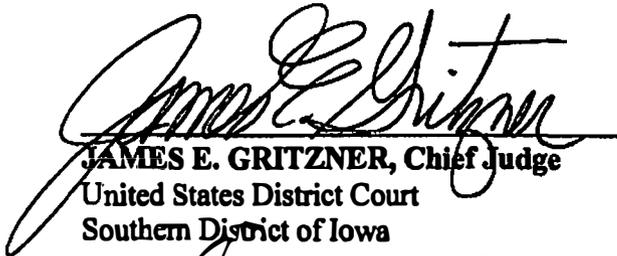
This Order supersedes the Plan for Representation of Indigent Plaintiffs in Civil Rights Cases dated March 20, 1992 (N.D. Adm. No. 1119 and S.D. No. M-1-105). Since 1989 the Northern and Southern Districts of Iowa have worked with the Federal Bar to develop and apply a system of indigent representation that meets prisoners' need for counsel in cases brought under 42 U.S.C. § 1983. This Plan reflects the Court's belief that justice requires availability of representation in certain civil cases, and that attorneys have a responsibility to perform *pro bono* work to remain members in good standing of the Bar of the Northern and Southern Districts of Iowa. "The participation of the bar in providing services to the indigent, though they be residents of correctional institutions, is essential." In Re Lang, 801 F.2d 1040, 1044 (8th Cir. 1986).

In the past, our methods of reimbursing counsel for representation in these cases have included use of grants via the Iowa State Bar Association Volunteer Lawyers Project, and contracts with law firms and individual attorneys to provide services on a fee-per-month or case-by-case basis. The judges of the Northern and Southern Districts of Iowa elected to eliminate the long-standing contract for prisoner representation, effective June 30, 2011. Since that time the two districts have established their own respective methods for assigning counsel on a case-by-case basis.

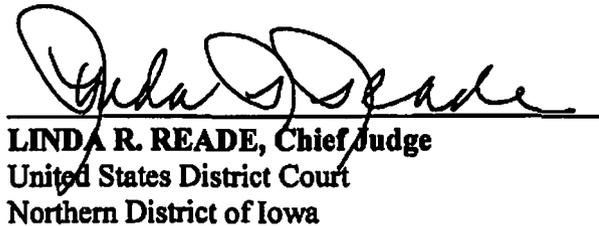
Payments under this Plan are made from Attorney Admission Fee Funds, which obtain their monies from the Continuing Legal Education and *pro hac vice* admission fees paid by attorneys as authorized by Local Rule 83.1.c.4. Counsel who have accepted a *pro bono* appointment since their last Continuing Legal Education Report are exempt from paying the fee for two reporting periods. Attorneys who are full-time employees of a legal aid society, legal services corporation, or other nonprofit organization, which has as its primary purpose the furnishing of legal services to indigent Iowans, are exempt from payment of the Continuing Legal Education fee. Attorneys who are full-time employees of a government entity are exempt from payment of the Continuing Legal Education fee, but shall biennially complete five hours of non-litigation projects involving management of these cases.

IT IS SO ORDERED.

DATED this 29th day of March, 2012.



JAMES E. GRITZNER, Chief Judge
United States District Court
Southern District of Iowa



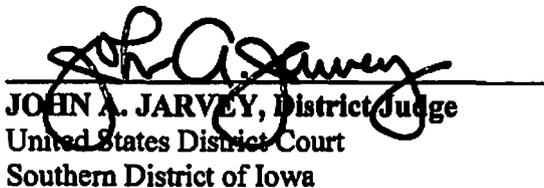
LINDA R. READE, Chief Judge
United States District Court
Northern District of Iowa



ROBERT W. PRATT, District Judge
United States District Court
Southern District of Iowa



MARK W. BENNETT, District Judge
United States District Court
Northern District of Iowa



JOHN A. JARVEY, District Judge
United States District Court
Southern District of Iowa

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
ELECTRONIC SUBMISSION OF
INTERPRETER VOUCHERS
SUBMITTED UNDER THE
CRIMINAL JUSTICE ACT

**PUBLIC
ADMINISTRATIVE ORDER**

No. 11-AO-0007-P

To allow for more strict controls and audits of interpreter vouchers submitted for payment under the Criminal Justice Act, new procedures have been proposed by the Federal Public Defender's Office of the Northern and Southern Districts of Iowa. The primary changes to the current procedures are:

1. Electronic submission of the CJA21 Voucher for Expert and Other Services to the Federal Public Defender's Office, which would then be forwarded to counsel for approval.
2. Waiver by this Court of the general requirement for an original signature by anyone except attorneys, to allow interpreters to submit the CJA21 using an electronic signature.
3. Notification to interpreters that using the electronic signature line constitutes a statement under penalty of perjury, just as if they had used a handwritten signature.

The new procedures as proposed are hereby adopted by the Northern District of

Iowa, for implementation as soon as practicable by the Federal Public Defender's Office.

IT IS SO ORDERED.

DATED this 21st day of December, 2011



LINDA R. READE
CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

No. 11 AO 0006 - P

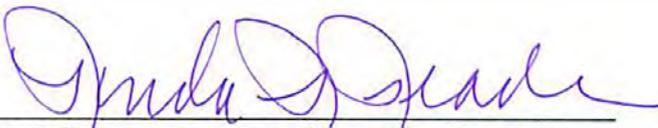
IN RE

ADVANCE AUTHORIZATION OF
EXPENDITURES FOR
INVESTIGATIVE, EXPERT, OR
OTHER SERVICES

ADMINISTRATIVE ORDER

IT IS HEREBY ORDERED that any attorney or party intending to retain investigative, expert, or other services to assist in the defense of a criminal case, with the expectation that the cost of the services be paid for or reimbursed by the government under the Criminal Justice Act, are to follow the procedures described in the attachment to this Order.

DONE AND ORDERED this 9th day of November, 2011.



Linda R. Reade, Chief U.S. District Judge
UNITED STATES DISTRICT COURT

Advance Authorization of Expenditures for Investigative, Expert, or Other Services

Approval Required: Title 18 U.S.C. 3006A(e)(1) provides that counsel for an indigent defendant may, in an *ex parte* application, request “investigative, expert, or other services necessary for adequate representation.” A district judge, and not a magistrate judge, must approve such requests unless “the services are required in connection with a matter over which [the magistrate judge] has jurisdiction.” *Id.* The practical effect of this is that almost all such requests must be approved by a district judge and not a magistrate judge.

Cost of Services will not exceed \$800: If the cost of the services will not exceed \$800, prior approval is not required. § 3006A(e)(2)(A). However, since the need for the services and the bill are subject to later review by the court, such requests should be made in advance whenever possible.

Cost of Services will exceed \$800: If the cost of the services will exceed \$800, the request must be made in advance. If prior approval has not been obtained, the court can approve an expenditure after the fact if the court finds that the expenditure was in the “interest of justice” and that “timely procurement of [the services] could not await prior authorization.” § 3006A(e)(2)(B). It is the rare case, however, where advance authorization cannot be obtained.

Cost of Services will exceed \$2,400: Expenditures exceeding \$2,400 will not be paid unless the court certifies that payment in excess of that limit is “necessary to provide fair compensation for services of an unusual character or duration,” and “the amount of the excess payment is approved by the chief judge of the circuit.” § 3006A(e)(3).

CJA form 21 and Addendum Form. CJA form 21, entitled “Authorization and Voucher for Expert and Other Services,” must be used to request authorization and payment for these services. A copy of this form is attached. In completing the form, instead of putting a “Description” in Block 13, it should state “See Addendum,” and the attached “Addendum” should be completed and submitted with the form (unless the request is for routine interpreting services costing \$800 or less, in which case the Addendum does not have to be completed). The CJA form 21 and the Addendum must be submitted together to the Clerk of Court. The Clerk of Court will transmit the forms to the appropriate judicial officer.

Forms Available on Website: Both the CJA form 21 and the Addendum form are available for downloading from the court’s website at www.iand.uscourts.gov.

CJA 21 AUTHORIZATION AND VOUCHER FOR EXPERT AND OTHER SERVICES (Rev. 04/11)

1. CIR/DIST/ DIV. CODE	2. PERSON REPRESENTED	VOUCHER NUMBER	
3. MAG. DKT./DEF. NUMBER	4. DIST. DKT./DEF. NUMBER	5. APPEALS DKT./DEF. NUMBER	6. OTHER DKT. NUMBER
7. IN CASE/MATTER OF (Case Name)	8. PAYMENT CATEGORY <input type="checkbox"/> Felony <input type="checkbox"/> Petty Offense <input type="checkbox"/> Misdemeanor <input type="checkbox"/> Other <input type="checkbox"/> Appeal	9. TYPE PERSON REPRESENTED <input type="checkbox"/> Adult Defendant <input type="checkbox"/> Appellant <input type="checkbox"/> Juvenile Defendant <input type="checkbox"/> Appellee <input type="checkbox"/> Other	10. REPRESENTATION TYPE (See Instructions)

11. OFFENSE(S) CHARGED (Cite U.S. Code, Title & Section) *If more than one offense, list (up to five) major offenses charged, according to severity of offense.*

REQUEST AND AUTHORIZATION FOR EXPERT SERVICES

12. ATTORNEY'S STATEMENT
 As the attorney for the person represented, who is named above, I hereby affirm that the services requested are necessary for adequate representation. I hereby request.
 Authorization to obtain the service. Estimated Compensation and Expenses: \$ _____ OR
 Approval of services already obtained to be paid for by the United States pursuant to the Criminal Justice Act. (Note: Prior authorization should be obtained for services in excess of \$800, excluding expenses)

Signature of Attorney: _____ Date: _____
 Panel Attorney Retained Attorney Pro-Se Legal Organization
 ATTORNEY'S NAME (First Name, M.I., Last Name, including any suffix), AND MAILING ADDRESS _____
 Telephone Number: _____

13. DESCRIPTION OF AND JUSTIFICATION FOR SERVICES (See Instructions)	14. TYPE OF SERVICE PROVIDER (See Instructions) <table style="width:100%; border: none;"> <tr> <td>01 <input type="checkbox"/> Investigator</td> <td>17 <input type="checkbox"/> Hair/Fiber Expert</td> </tr> <tr> <td>02 <input type="checkbox"/> Interpreter/Translator</td> <td>18 <input type="checkbox"/> Computer (Hardware/Software/Systems)</td> </tr> <tr> <td>03 <input type="checkbox"/> Psychologist</td> <td>19 <input type="checkbox"/> Paralegal Services</td> </tr> <tr> <td>04 <input type="checkbox"/> Psychiatrist</td> <td>20 <input type="checkbox"/> Legal Analyst/Consultant</td> </tr> <tr> <td>05 <input type="checkbox"/> Polygraph</td> <td>21 <input type="checkbox"/> Jury Consultant</td> </tr> <tr> <td>06 <input type="checkbox"/> Documents Examiner</td> <td>22 <input type="checkbox"/> Mitigation Specialist</td> </tr> <tr> <td>07 <input type="checkbox"/> Fingerprint Analyst</td> <td>23 <input type="checkbox"/> Duplication Services</td> </tr> <tr> <td>08 <input type="checkbox"/> Accountant</td> <td>24 <input type="checkbox"/> Other (Specify) _____</td> </tr> <tr> <td>09 <input type="checkbox"/> CALR (Westlaw/Lexis, etc)</td> <td>25 <input type="checkbox"/> Litigation Support Services</td> </tr> <tr> <td>10 <input type="checkbox"/> Chemist/Toxicologist</td> <td>26 <input type="checkbox"/> Computer Forensics Expert</td> </tr> <tr> <td>11 <input type="checkbox"/> Ballistics</td> <td></td> </tr> <tr> <td>13 <input type="checkbox"/> Weapons/Firearms/Explosive Expert</td> <td></td> </tr> <tr> <td>14 <input type="checkbox"/> Pathologist/Medical Examiner</td> <td></td> </tr> <tr> <td>15 <input type="checkbox"/> Other Medical</td> <td></td> </tr> <tr> <td>16 <input type="checkbox"/> Voice/Audio Analyst</td> <td></td> </tr> </table>	01 <input type="checkbox"/> Investigator	17 <input type="checkbox"/> Hair/Fiber Expert	02 <input type="checkbox"/> Interpreter/Translator	18 <input type="checkbox"/> Computer (Hardware/Software/Systems)	03 <input type="checkbox"/> Psychologist	19 <input type="checkbox"/> Paralegal Services	04 <input type="checkbox"/> Psychiatrist	20 <input type="checkbox"/> Legal Analyst/Consultant	05 <input type="checkbox"/> Polygraph	21 <input type="checkbox"/> Jury Consultant	06 <input type="checkbox"/> Documents Examiner	22 <input type="checkbox"/> Mitigation Specialist	07 <input type="checkbox"/> Fingerprint Analyst	23 <input type="checkbox"/> Duplication Services	08 <input type="checkbox"/> Accountant	24 <input type="checkbox"/> Other (Specify) _____	09 <input type="checkbox"/> CALR (Westlaw/Lexis, etc)	25 <input type="checkbox"/> Litigation Support Services	10 <input type="checkbox"/> Chemist/Toxicologist	26 <input type="checkbox"/> Computer Forensics Expert	11 <input type="checkbox"/> Ballistics		13 <input type="checkbox"/> Weapons/Firearms/Explosive Expert		14 <input type="checkbox"/> Pathologist/Medical Examiner		15 <input type="checkbox"/> Other Medical		16 <input type="checkbox"/> Voice/Audio Analyst	
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14 <input type="checkbox"/> Pathologist/Medical Examiner																															
15 <input type="checkbox"/> Other Medical																															
16 <input type="checkbox"/> Voice/Audio Analyst																															
15. COURT ORDER Financial eligibility of the person represented having been established to the Court's satisfaction, the authorization requested in Item 12 is hereby granted. Signature of Presiding Judge or By Order of the Court _____ Date of Order _____ Nunc Pro Tunc Date _____ Repayment or partial repayment ordered from the person represented for this service at time of authorization <input type="checkbox"/> YES <input type="checkbox"/> NO																															

CLAIM FOR SERVICES AND EXPENSES	FOR COURT USE ONLY		
16. SERVICES AND EXPENSES (Attach itemization of services with dates)	AMOUNT CLAIMED	MATH/TECHNICAL ADJUSTED AMOUNT	ADDITIONAL REVIEW
a. Compensation			
b. Travel Expenses (lodging, parking, meals, mileage, etc.)			
c. Other Expenses			
GRAND TOTALS (CLAIMED AND ADJUSTED):	\$0.00	\$0.00	

17. PAYEE'S NAME AND MAILING ADDRESS _____
 TIN: _____
 Telephone Number: _____

CLAIMANT'S CERTIFICATION FOR PERIOD OF SERVICE FROM _____ TO _____

CLAIM STATUS Final Payment Interim Payment Number _____ Supplemental Payment

I hereby certify that the above claim is for services rendered and is correct, and that I have not sought or received payment (compensation or anything of value) from any other source for these services.

Signature of Claimant/Payee _____ Date _____

18. CERTIFICATION OF ATTORNEY I hereby certify that the services were rendered for this case.

Signature of Attorney _____ Date _____

APPROVED FOR PAYMENT — COURT USE ONLY

19. TOTAL COMPENSATION	20. TRAVEL EXPENSES	21. OTHER EXPENSES	22. TOTAL AMOUNT APPROVED/CERTIFIED \$0.00
------------------------	---------------------	--------------------	---

23. Either the cost (excluding expenses) of these services does not exceed \$800, or prior authorization was obtained.
 Prior authorization was not obtained, but in the interest of justice the Court finds that timely procurement of these necessary services could not await prior authorization, even though the cost (excluding expenses) exceeds \$800.

Signature of Presiding Judge _____ Date _____ Judge Code _____

24. TOTAL COMPENSATION	25. TRAVEL EXPENSES	26. OTHER EXPENSES	27. TOTAL AMOUNT APPROVED \$0.00
------------------------	---------------------	--------------------	-------------------------------------

28. PAYMENT APPROVED IN EXCESS OF THE STATUTORY THRESHOLD UNDER 18 U.S.C. § 3006A(c)(3)

Signature of Chief Judge, Court of Appeals (or Delegate) _____ Date _____ Judge Code _____

Case name and number: _____

ADDENDUM to CJA form 21
[Block 13-DESCRIPTION AND JUSTIFICATION FOR SERVICES]

Name and address of investigator, expert, or other service provider:

Type of service (e.g., investigative, accounting, chemical analysis, psychiatric):

Explain what it is about this case that makes these services necessary or helpful:

Give a specific description of what you expect the investigator, expert, or other service provider to do to help you prepare your case, stating how much time you expect the service provider to spend completing each assigned task: _____

Describe in detail what you hope to accomplish by retaining these services, giving a description of the nature of the evidence and/or testimony you hope to develop as a result of the requested expenditure: _____

State why the attorney cannot perform these services without retaining an investigator, expert, or other service provider: _____

Describe your efforts to obtain the services of the investigator, expert, or other service provider at a lower cost: _____

If the investigator, expert, or other service provider is not from the community where court will be held, describe your efforts to obtain these services locally: _____

How much has already been expended on investigators, experts, and other service providers in this case:

\$ _____

Estimated additional cost for the requested services:

\$ _____

Estimated **total amount** of both the amounts already expended on investigators, experts, and other service providers in this case, plus the additional cost for the requested services:

\$ _____

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
HOLIDAY SCHEDULE FOR FISCAL
YEAR 2012**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 11-AO-0005-P

The United States District Court for the Northern District of Iowa, including the Clerk of Court and Probation offices, will be closed on Friday, November 25, 2011. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

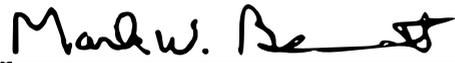
Each District Judge and Magistrate Judge may adopt any schedule he or she desires regarding this date with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer and the Federal Public Defender.

IT IS SO ORDERED.

DATED this 5th day of August, 2011


LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
AMENDED LOCAL RULES
EFFECTIVE SEPTEMBER 1, 2011**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 11-AO-0004-P

The amendment to Local Rule 83.4 to add new subparagraph (f) as published June 10, 2011 and set out below is hereby adopted for the Northern District of Iowa, effective September 1, 2011.

f. Limited Exception for Pilot Program in Southern District.

In the Southern District there is a limited exception to the ban on recording and publication of district court proceedings as set forth in this rule for district judges participating in a pilot program established by the Judicial Conference of the United States in September 2010 (JCUS-SEP 10, pp. 3-4) to evaluate the effect of cameras in district court courtrooms, of video recordings of proceedings therein, and of publication of such video recordings.

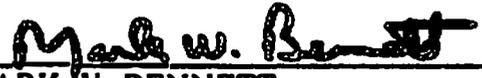
Any recording and publication conducted pursuant to the pilot program must comply with the program guidelines issued by the Judicial Conference Committee on Court Administration and Case Management, pursuant to the pilot program (available at www.uscourts.gov).

IT IS SO ORDERED

DATED this 11th day of August, 2011.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**NOTICE OF PROPOSED AMENDMENT TO THE
LOCAL RULES OF THE UNITED STATES DISTRICT COURTS
FOR THE NORTHERN AND SOUTHERN DISTRICTS OF IOWA
TO BE EFFECTIVE SEPTEMBER 1, 2011**

June 10, 2011

Notice is hereby given that the Local Rules of the United States District Courts for the Northern and Southern Districts of Iowa will be amended effective September 1, 2011, to add a new subparagraph (f) to Local Rule 83.4, which bans the audio and video recordings of court proceedings. The proposed new subparagraph (f) states as follows:

f. Limited Exception for Pilot Program in Southern District. In the Southern District there is a limited exception to the ban on recording and publication of district court proceedings as set forth in this rule for district judges participating in a pilot program established by the Judicial Conference of the United States in September 2010 (JCUS-SEP 10, pp. 3-4) to evaluate the effect of cameras in district court courtrooms, of video recordings of proceedings therein, and of publication of such video recordings.

Any recording and publication conducted pursuant to the pilot program must comply with the program guidelines issued by the Judicial Conference Committee on Court Administration and Case Management, pursuant to the pilot program (available at www.uscourts.gov).

The proposed amendment is a result of the potential participation of the Southern District of Iowa in a Digital Video Recording Pilot program ("DVR program") of the Committee on Court Administration and Case Management of the Judicial Conference of the United States ("Conference Committee"). The DVR program will study the use of digital video recording of district court proceedings in civil cases and the making of those recordings publicly available through www.uscourts.gov and court websites. Participation in individual cases is subject to the consent of the parties, and approval by the presiding judge. Details of the program are available at the website identified above. Because the audio and video recording of court proceedings is currently prohibited by Local Rule 83.4, an amendment to the rule is necessary to enable participation in the DVR program. The proposed amendment, with minor variation which applies to the amendment only in the Southern District, would adopt the model local rule suggested by the Conference Committee.

The public is invited to review and make comments on the proposed amendment. Any comments should be directed to United States Magistrate Judge Ross A. Walters of the Southern District, either by e-mail to ross_a_walters@iasd.uscourts.gov, or by mail to the United States Courthouse, 123 East Walnut Street, Room 440, Des Moines, IA 50309-2036. Comments will be accepted through August 1, 2011.

The proposed amendment will become effective only upon approval by the Article III United States District Judges of the districts. The planned effective date of the amendment is September 1, 2011.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
ORDER APPOINTING MAGISTRATE
JUDGE SELECTION PANEL**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 11-AO-0003-P

In anticipation of the retirement of Chief Magistrate Judge Paul A. Zoss, the United States District Court for the Northern District of Iowa appoints the following Merit Selection Panel to recommend five names to the active district court judges for the appointment of a new magistrate judge. The panel must report to the district court within 90 days of its appointment unless otherwise directed by the court. The following citizens will make up the Merit Selection Panel:

1. Greg Lederer - Chair - Cedar Rapids
2. Stuart Cochrane, Esq. - Fort Dodge
3. Jay Denne, Esq. - Sioux City
4. Alan Fredregill, Esq. - Sioux City
5. Patrick "PJ" Jennings, Esq. - Sioux City
6. Paul Lundberg, Esq. - Sioux City
7. Dennis McElwain, Esq. - Sioux City
8. Dr. John Mies, Lay Member - Sioux City
9. Maria Rundquist - Lay Member - Sioux City
10. Fran Sadden, Lay Member - Sioux City
11. Kelly Salker, Esq. - LeMars

12. Pam Wingert, Esq. - Spirit Lake
13. Corey Wrenn - Lay Member - Sioux City

IT IS SO ORDERED.

DATED this 15th day of August, 2011.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
RESTITUTION, FINE AND SPECIAL
PENALTY ASSESSMENT PAYMENTS
PRIOR TO ENTRY OF CRIMINAL
JUDGMENT

**PUBLIC
ADMINISTRATIVE ORDER**

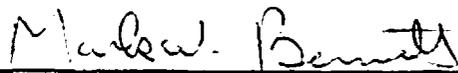
No. 10-AO-0006-P

The Clerk for the U.S. District Court for the Northern District of Iowa is hereby permitted to accept restitution, fine, and special penalty assessment payments prior to entry of the Judgment and Commitment Order in criminal cases. The restitution funds are to be held in the deposit fund until further order of the Court.

IT IS SO ORDERED.

DATED this 20th day of December 2010.


LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**AMENDED AND SUBSTITUTED
CRIMINAL JUSTICE ACT PLAN
FOR THE NORTHERN DISTRICT
OF IOWA**

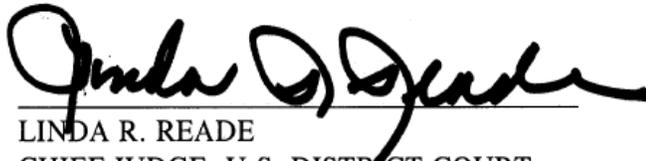
**PUBLIC
ADMINISTRATIVE ORDER**

No. 10-AO-05-P

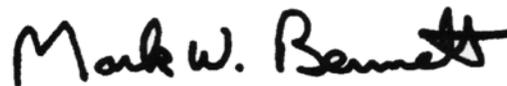
For Providing Representation Pursuant to
the Criminal Justice Act of 1964, as
amended

IT IS HEREBY ORDERED that the Amended and Substituted Criminal Justice
Act Plan for the Northern District of Iowa, as set out herein, is adopted.

DATED this 2nd day of December, 2010.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT
U. S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA

United States Courts
Judicial Council of the Eighth Circuit
Thomas F. Eagleton United States Courthouse
111 South 10th Street – Suite 26.325
St. Louis, Missouri 63102-1116

Millie B. Adams
Circuit Executive

Voice (314) 244-2600
Fax (314) 244-2605
www.ca8.uscourts.gov

EIGHTH CIRCUIT JUDICIAL COUNCIL

ORDER

I hereby certify that the Eighth Circuit Judicial Council has approved the amended Criminal Justice Act Plan for the Northern District of Iowa which was adopted by the court on December 2, 2010.



Millie B. Adams
Circuit Executive

St. Louis, Missouri
January 28, 2011

cc: Judicial Council Members
Chief Judge Linda R. Reade
Robert L. Phelps, Clerk of Court
Nicholas T. Drees, Federal Public Defender
Administrative Office

Approval was given by the Defender Services Committee (CJA).

JCO 2301

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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
AMENDED AND SUBSTITUTED CRIMINAL JUSTICE ACT PLAN**

I. AUTHORITY

Under the Criminal Justice Act of 1964, as amended, 18 U.S.C. § 3006A (CJA), and the *Guide to Judiciary Policy*, Volume 7A, *Guidelines for Administering the CJA and Related Statutes (CJA Guidelines)*, the judges of the United States District Court for the Northern District of Iowa adopt this Plan for furnishing representation in federal court for any person financially unable to obtain adequate representation in accordance with the CJA.

II. STATEMENT OF POLICY

A. Objectives.

1. The objective of this Plan is to attain the ideal of equality before the law for all persons. Therefore, this Plan will be administered so that those accused of crime, or otherwise eligible for services under the CJA, will not be deprived, because they are financially unable to pay for adequate representation, of any element of representation necessary to an adequate defense.
2. The further objective of this Plan is to particularize the requirements of the CJA, the USA Patriot Improvement and Reauthorization Act of 2005 (recodified at 18 U.S.C. § 3599), and the *CJA Guidelines* in a way that meets the needs of this district.

B. Compliance.

1. The court, its clerk, the federal public defender organization, and private attorneys appointed under the CJA must comply with the *CJA Guidelines* approved by the Judicial Conference of the United States and/or its Committee on Defender Services and with this Plan.
2. Each private attorney will be provided by the federal public defender organization with a then-current copy of this Plan upon the attorney's first appointment under the CJA or designation as a member of the panel of private attorneys under the CJA (CJA Panel). The federal

public defender will maintain a current copy of the *CJA Guidelines* for the use of members of the CJA Panel and will make known to such attorneys its availability.

III. DEFINITIONS

A. Representation

“Representation” includes counsel and investigative, expert, and other services.

B. Appointed Attorney

“Appointed attorney” includes private attorneys, the federal public defender, and staff attorneys of the federal public defender organization.

IV. PROVISION OF REPRESENTATION

A. Circumstance.

1. **Mandatory.** Representation **must** be provided for any financially eligible person who:
 - a. is charged with a felony or with a Class A misdemeanor;
 - b. is a juvenile alleged to have committed an act of juvenile delinquency as defined in 18 U.S.C. § 5031;
 - c. is charged with a violation of probation, or faces a change of a term or condition of probation (unless the modification sought is favorable to the probationer and the government has not objected to the proposed change);
 - d. is under arrest, when such representation is required by law;
 - e. is entitled to appointment of counsel in parole proceedings (*see CJA Guidelines*, § 210.20.10(e));
 - f. is charged with a violation of supervised release or faces modification, reduction, or enlargement of a condition, or extension or revocation of a term of supervised release;
 - g. is subject to a mental condition hearing under 18 U.S.C. § 4241, *et seq.*;
 - h. is in custody as a material witness;

- i. is seeking to set aside or vacate a death sentence under 28 U.S.C. § 2254 or 28 U.S.C. § 2255;
- j. is entitled to appointment of counsel in verification of consent proceedings in connection with a transfer of an offender to or from the United States for the execution of a penal sentence under 18 U.S.C. § 4109;
- k. is entitled to appointment of counsel under the Sixth Amendment to the Constitution (*see CJA Guidelines*, § 210.20.10(i)); or
- l. faces loss of liberty in a case and federal law requires the appointment of counsel (*see CJA Guidelines*, § 210.20.10(i)).

2. Discretionary. Whenever a judge or United States magistrate judge determines that the interests of justice so require, representation **may** be provided for any financially eligible person who:

- a. is charged with a petty offense (Class B or C misdemeanor, or an infraction) for which a sentence to confinement is authorized;
- b. is seeking relief under 28 U.S.C. § 2241, 28 U.S.C. § 2254, or 28 U.S.C. § 2255 (*see CJA Guidelines*, § 210.20.20(a)(2));
- c. is charged with civil or criminal contempt and faces loss of liberty;
- d. has been called as a witness before a grand jury, a court, Congress, or a federal agency or commission which has the power to compel testimony, and there is reason to believe, either prior to or during testimony, that the witness could be subject to a criminal prosecution, a civil or criminal contempt proceeding, or face loss of liberty;
- e. is proposed by the United States attorney for processing under a pretrial diversion program;
- f. is held for international extradition under 18 U.S.C. § 3181, *et seq.*; or
- g. is a target of a grand jury investigation and has been subpoenaed to appear before the grand jury.

Representation may also be furnished for financially eligible persons in ancillary matters appropriate to the proceedings under subsection (c) of the CJA.

B. Timely Appointment of Counsel.

Counsel must be provided to eligible persons as soon as feasible after they are taken into custody, when they appear before a United States magistrate judge or judge, when they are formally charged or notified of charges if formal charges are sealed, or when a United States magistrate judge or judge otherwise considers appointment of counsel appropriate under this Plan or the CJA, whichever occurs earliest.

C. Number and Qualifications of Counsel.

1. Number. More than one attorney may be appointed in any case determined by the court to be extremely difficult. In a capital case, the following applies:

- a. Federal Capital Prosecutions. Under 18 U.S.C. § 3005, a person charged with a federal capital offense is **entitled** to the appointment of two attorneys, at least one of whom must be learned in the law applicable to capital cases. Under 18 U.S.C. § 3599(a)(1), if necessary for adequate representation, more than two attorneys may be appointed to represent a defendant in such a case.
- b. Habeas Corpus Proceedings. Under 18 U.S.C. § 3599(a)(2), a financially eligible person seeking to vacate or set aside a death sentence in proceedings under 28 U.S.C. § 2254 or 28 U.S.C. § 2255 is **entitled** to appointment of one or more qualified attorneys. Due to the complex, demanding, and protracted nature of death penalty proceedings, judicial officers should consider appointing at least two counsel.

2. Qualifications. Qualifications for appointed counsel will be determined by the court. In capital cases the following also applies:

- a. Appointment of Counsel Prior to Judgment. Under 18 U.S.C. § 3599(b), at least one of the attorneys appointed must have been admitted to practice in the court in which the case will be prosecuted for not less than five years, and must have had not less than three years experience in the actual trial of felony prosecutions in that court. Under 18 U.S.C. § 3005, at least

one of the attorneys appointed must be knowledgeable in the law applicable to capital cases.

Under 18 U.S.C. § 3005, in appointing counsel in federal capital prosecutions, the court will consider the recommendation of the federal public defender.

- b. **Appointment of Counsel After Judgment.** Under 18 U.S.C. § 3599(c), at least one of the attorneys appointed must have been admitted to practice in the court of appeals for not less than five years and must have had not less than three years experience in the handling of appeals in felony cases in that court.
- c. **Attorney Qualification Waiver.** Under 18 U.S.C. § 3599(d), the presiding judicial officer, for good cause, may appoint an attorney who may not qualify under 18 U.S.C. § 3599(b) or (c), but who has the background, knowledge, and experience necessary to represent the defendant properly in a capital case, giving due consideration to the seriousness of the possible penalty and the unique and complex nature of the litigation.

D. Eligibility for Representation.

- 1. **Factfinding.** The determination of eligibility for representation under the CJA is a judicial function to be performed by a federal judge or United States magistrate judge after making appropriate inquiries concerning the person's financial condition.
- 2. **Disclosure of Change in Eligibility.** If, at any time after appointment, counsel obtains information that a client is financially able to make payment, in whole or in part, for legal or other services in connection with his or her representation and the source of the attorney's information is not protected as a privileged communication, counsel will advise the court.

V. FEDERAL PUBLIC DEFENDER ORGANIZATION

A. Establishment.

1. The federal public defender organization of the Northern District of Iowa, previously established in this district under the provisions of the CJA, is hereby recognized as the federal public defender organization for this district.
2. The federal public defender organization will be capable of providing legal services throughout the district and will maintain offices in Cedar Rapids and Sioux City, Iowa.

B. Supervision of Federal Public Defender Organization. The federal public defender will be responsible for the supervision and management of the federal public defender organization. Accordingly, the federal public defender will be appointed in all cases assigned to that organization for subsequent assignment to staff attorneys at the discretion of the federal public defender.

C. Management of CJA Panel. The federal public defender will be responsible for the systematic distribution of cases to and for the management of the CJA Panel subject to the provisions of the Plan for the Composition, Administration, and Management of the Panel of Private Attorneys under the Criminal Justice Act, found at Appendix I of this Plan.

VI. PRIVATE ATTORNEYS

A. Establishment of CJA Panel. The existing, previously established CJA Panel who are eligible and willing to be appointed to provide representation under the CJA is hereby recognized.

B. Organization. The Plan for the Composition, Administration, and Management of the Panel of Private Attorneys under the Criminal Justice Act is found at Appendix I of this Plan.

C. Ratio of Appointments. Where practical and cost effective, private attorneys from the CJA Panel will be appointed in a substantial proportion of the cases in which the accused is determined to be financially eligible for representation under the CJA. “Substantial” will usually be defined as

approximately 25% of the appointments under the CJA annually throughout the district.

VII. DUTIES OF APPOINTED COUNSEL

- A. Standards.** The services to be rendered a person represented by appointed counsel will be commensurate with those rendered if counsel were privately employed by the person.
- B. Professional Conduct.** Attorneys appointed under the CJA must conform to the highest standards of professional conduct, including, but not limited to, the provisions of the Iowa Rules of Professional Conduct.
- C. No Receipt of Other Payment.** Appointed counsel may not require, request, or accept any payment or promise of payment or any other valuable consideration for representation under the appointment, unless such payment is approved by order of the court.
- D. Continuing Representation.** Once counsel is appointed under the CJA, counsel will continue the representation until the matter, including appeals or review by certiorari (as governed by the circuit CJA plan provisions concerning representation on appeal), is closed; until substitute counsel has filed a notice of appearance; until an order has been entered allowing or requiring the person represented to proceed *pro se*; or until the appointment is terminated by court order.

VIII. DUTIES OF LAW ENFORCEMENT AND RELATED AGENCIES

- A. Presentation of Accused for Appointment of Counsel.** Federal law enforcement and prosecutorial agencies, probation officers, and pretrial services officers in this district, and those acting on their behalf, must promptly ask any person who is in custody, or who otherwise may be entitled to counsel under the CJA, whether he or she is financially able to secure representation, and must, in such cases in which the person indicates that he or she is not able, notify the federal public defender who will discuss with the person the right to representation and right to appointed counsel, and if appointment of counsel seems likely, assist in the completion of a financial affidavit (Form CJA 23) and arrange to have the person promptly presented before a United States magistrate judge or judge of this court for determination of financial eligibility and appointment of counsel.

- B. Pretrial Services Interview.** A pretrial services officer must conduct an initial interview of a defendant to assist the court in deciding whether a defendant will be released or kept in custody pending trial. The pretrial services officer must advise the defendant of the right to speak with a lawyer before answering questions and must further advise the defendant that, if the defendant cannot afford a lawyer, one will be appointed. The pretrial services officer will only ask those questions necessary to complete the initial pretrial report and will not ask questions concerning the substantive offense or the alleged relevant conduct. This interview may be conducted prior to the appointment of counsel, but the interview must be immediately terminated if the defendant requests to speak with a lawyer at any time during the interview. Relevant information bearing on the defendant's financial eligibility must be reflected on a financial eligibility affidavit (Form CJA 23) which should be filled out by the defendant with the assistance of counsel. After completion, the form must be presented to a United States magistrate judge or judge of this court. Other officers or employees of the court (i.e., clerk, deputy clerk or pretrial services officer) may be designated by the court to verify the facts contained within the affidavit upon which such determination is to be made. Employees of law enforcement agencies or United States attorney's offices must not participate in the completion of the Form CJA 23 or seek to obtain information from a person requesting the appointment of counsel concerning his or her eligibility.
- C. Notice of Indictment or Criminal Information.** Upon the return or unsealing of an indictment, the filing of a criminal information, or the filing of a petition to modify or revoke probation, the United States attorney or the probation officer, as appropriate, must immediately mail or otherwise deliver a copy of the document to appointed counsel, or to the defendant if he is without counsel, at the address shown on defendant's bond papers or to the jail in which the defendant is incarcerated.

IX. MISCELLANEOUS

- A. Forms.** Standard forms, pertaining to the CJA and approved by the Judicial Conference of the United States or its Committee on Defender Services and prescribed and distributed by the Director of the Administrative Office of the United States Courts, must be used, where applicable, in all proceedings under this Plan.

B. Claims. Claims for compensation of private attorneys providing representation under the CJA must be submitted on the appropriate CJA form, to the office of the federal public defender. That office will review the claim form for mathematical and technical accuracy and for conformity with the *CJA Guidelines*, and, if correct, will forward the claim form for the consideration of the appropriate judge or United States magistrate judge. The court will exert its best effort to avoid delays in reviewing payment vouchers and in submitting them for further processing.

C. Supersession. This Plan supersedes all prior CJA Plans of this court.

X. EFFECTIVE DATE

This Plan will become effective when approved by the Judicial Council of the Eighth Circuit.

APPROVED BY THE JUDICIAL COUNCIL OF THE EIGHTH
CIRCUIT ON this _____ day of _____, 2010.

WILLIAM J. RILEY
CHIEF JUDGE, EIGHTH CIRCUIT COURT OF APPEALS

APPENDIX I

PLAN FOR THE COMPOSITION, ADMINISTRATION, AND MANAGEMENT OF THE PANEL OF PRIVATE ATTORNEYS UNDER THE CRIMINAL JUSTICE ACT

I. COMPOSITION OF PANEL OF PRIVATE ATTORNEYS

A. CJA Panels

1. **Approval.** The court will establish two panels of private attorneys (hereinafter referred to as the “Cedar Rapids CJA Panel” and the “Sioux City CJA Panel,” respectively, and “CJA Panels,” collectively) who are eligible and willing to be appointed to provide representation under the Criminal Justice Act. The court will approve attorneys for membership on the Cedar Rapids CJA Panel and the Sioux City CJA Panel after receiving recommendations from the “Panel Selection Committees,” established under paragraph B of this Plan. Members of the CJA Panels will serve at the pleasure of the court.
2. **Size.** The Cedar Rapids CJA Panel and the Sioux City CJA Panel will be large enough to provide a sufficient number of experienced attorneys to handle the CJA caseload, yet small enough so that members of the CJA Panels will receive an adequate number of appointments to maintain their proficiency in federal criminal defense work, and thereby provide a high quality of representation.
3. **Eligibility.** Attorneys who serve on the Cedar Rapids CJA Panel and attorneys who serve on the Sioux City CJA Panel must be members in good standing of the federal bar of this district and must have demonstrated experience in, and knowledge of, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, and the United States Sentencing Guidelines.

Subsection (b) of the Criminal Justice Act provides, in part, that:

Counsel furnishing representation under the plan shall be selected from a panel of attorneys designated or approved by the court, or from a bar association, legal

aid agency, or defender organization furnishing representation pursuant to the plan.

However, when a United States magistrate judge or judge determines that the appointment of an attorney, who is not a member of the district's CJA Panels, is in the interest of justice, judicial economy or continuity of representation, or there is some other compelling circumstance warranting his or her appointment, the attorney may be admitted to either the Cedar Rapids CJA Panel or Sioux City CJA Panel *pro hac vice* and appointed to represent the CJA defendant. Consideration for preserving the integrity of the panel selection process suggests that such appointments should be made only in exceptional circumstances. Further, the attorney, who may or may not maintain an office in the district, should possess such qualities as would qualify the attorney for admission to the district's Cedar Rapids CJA Panel or Sioux City CJA Panel in the ordinary course of panel selection.

4. ***Equal Opportunity.*** All qualified attorneys will be encouraged to participate in the furnishing of representation in CJA cases, without regard to race, color, religion, sex, sexual orientation, age, national origin, or disabling condition.
5. ***Application.*** Application forms for membership on the CJA Panels will be made available, upon request, by the federal public defender organization. Completed applications will be submitted to the federal public defender organization who will transmit the applications to the chairperson of the Panel Selection Committee.
6. ***Continuing Legal Education.*** The federal public defender will regularly schedule and conduct meetings and programs for attorneys on the CJA Panels. Such meetings and programs will be held at least two times during a calendar year. They will be designed to ensure that attorneys on the CJA Panels are kept current on recent developments in federal criminal law and to present speakers and topics of interest to attorneys who act as appointed counsel under the Criminal Justice Act. Attorneys on the CJA Panels must attend a minimum of six hours of these meetings and programs each calendar year in order to remain a member of the Cedar Rapids CJA Panel or the Sioux City CJA Panel. Attendance at not less than six hours of

other continuing legal education in the area of federal criminal law may, at the discretion of the federal public defender, be substituted for attendance at these meetings and programs.

7. *Acceptance of Appointments.* By serving on one of the CJA Panels, an attorney agrees to accept at least three appointments in the district during each calendar year.

B. Panel Selection Committee

1. *Membership.* A Panel Selection Committee in Cedar Rapids and a Panel Selection Committee in Sioux City will be established by the court. The Committees will consist of one district judge, one United States magistrate judge, the clerk of court (or his or her designee), the chief United States probation officer (or his or her designee), one attorney who is a member of the Cedar Rapids CJA Panel or one attorney who is a member of the Sioux City CJA Panel, and the federal public defender. The Committees will be chaired by the federal public defender.

2. *Duties.*

- a. The Panel Selection Committees will meet at least twice a year to consider applications for vacancies on the CJA Panels. The Committees will review the qualifications of applicants and recommend, for approval by the court, those applicants best qualified to fill the vacancies.

At their meetings, the Committees will also discuss the status of current members of the CJA Panels, consider whether any members should be removed from the CJA Panels due to performance issues or for disciplinary reasons, review the operation and administration of the CJA Panels over the preceding year, and recommend to the court any changes deemed necessary or appropriate by the Committees on the appointment process and panel management. The Committees will also inquire annually as to the continued availability and willingness of each panel member to accept appointments. In addition, the Committees will annually furnish information to the court regarding recruitment efforts undertaken by the

Committees in furtherance of the Equal Opportunity statement in paragraph I.A.4 of this Plan.

- b. Removal from a CJA Panel. Membership on a CJA Panel is not a right. A Panel Selection Committee may determine from time to time that, by reason of information received by the Committee, it should remove a member from the CJA Panel or take other remedial action. Grounds for removal from the CJA Panel include, but are not limited to, refusing to accept appointments on a consistent basis, providing inadequate representation, or engaging in improper or unethical conduct. When a Committee receives information that presents a potential reason to remove a panel member, the Committee will address the issue during one of its biannual meetings, or it may instead call a special meeting.

Before disposing of the issue, the Committee may recommend temporary removal of the panel member from any pending cases, or from the CJA Panel, and it may take any other protective action that is in the best interest of a defendant or the administration of the Criminal Justice Act.

The panel member against whom an allegation is made will receive written notice of the allegation, will be given the opportunity to attend the Committee meeting at which the issue will be addressed, and will be permitted to present information, orally or in writing, in his or her own behalf in response to the allegation. A majority vote of the Committee—taken by written, secret ballot—will decide the issue. If the request to remove the panel member has been initiated by a member of the Committee because of that member's own assessment of the panel member's deficiencies in representing defendants, that member of the Committee will not vote on the removal question. The Committee's decision will be communicated in writing to the panel member, with reasons stated for the decision.

A panel member who has been removed from a CJA Panel may file an application to be placed back on the CJA Panel no earlier than one year from the date of removal. In the

application for reinstatement, the attorney must note the earlier removal and explain why he or she should be permitted to return to the CJA Panel.

None of these procedures should be deemed to create a proprietary interest in being on or remaining on the CJA Panel. *See Roth v. King*, 449 F.3d 1272, 1283-86 (D.C. Cir. 2006).

- c. If, at any time during the course of a year, the number of vacancies due to resignation, removal, or death significantly decreases the size of the Cedar Rapids CJA Panel or the Sioux City CJA Panel, the appropriate Committee will solicit applications for the vacancies, convene a special meeting to review the qualifications of the applicants, and select prospective members for recommendation to the court for approval.

II. SELECTION FOR APPOINTMENT

A. Maintenance of List and Distribution of Appointments

The federal public defender will maintain a current list of all attorneys included on each of the CJA Panels, with current office addresses, e-mail addresses, and telephone numbers, as well as a statement of qualifications and experience. The federal public defender will furnish a copy of these lists to each judge and United States magistrate judge in this district. The federal public defender will also maintain a public record of assignments to private counsel, the amount of compensation received by private counsel on each matter, and, when appropriate, statistical data reflecting the proration of appointments between attorneys from the federal public defender organization and private attorneys, according to the formula described in the CJA Plan for this district.

B. Method of Selection

Appointments from the list of private attorneys should be made on a rotational basis, subject to the court's discretion to make exceptions due to the nature and complexity of the case, an attorney's experience, and geographical considerations. This procedure should result in a balanced

distribution of appointments and compensation among the members of the CJA Panels, and quality representation of each CJA defendant.

Upon the determination of a need for the appointment of counsel, the judge or United States magistrate judge will notify the federal public defender of the need for counsel and the nature of the case.

The federal public defender will advise the judge or United States magistrate judge as to the status of distribution of cases, where appropriate, as between the federal public defender and the CJA Panels of private attorneys. If the United States magistrate judge or judge decides to appoint an attorney from the Cedar Rapids CJA Panel or the Sioux City CJA Panel, the federal public defender will determine the name of the next panel member on the list who has handled, or assisted in, a case of equal or greater complexity than the case for which appointment of counsel is required, and who is available for appointment, and will provide the name to the appointing judge or United States magistrate judge.

In the event of an emergency, i.e., weekends, holidays, or other non-working hours of the federal public defender organization, the presiding judge or United States magistrate judge may appoint any attorney from the list. In all cases where panel members are appointed out of sequence, the appointing judge or United States magistrate judge will notify the federal public defender organization as to the name of the attorney appointed and the date of the appointment.

III. COMPENSATION—FILING OF VOUCHERS

Claims for compensation must be submitted, on the appropriate CJA form, to the federal public defender organization. The federal public defender will review the claim form for mathematical and technical accuracy and for conformity with the *Guide to Judiciary Policy*, Volume 7A, *Guidelines for Administering the CJA and Related Statutes*, and, if correct, the federal public defender will forward the claim form for the consideration and action of the presiding judge or United States magistrate judge.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF

ADMISSION TO PRACTICE
PRO HAC VICE

PUBLIC
ADMINISTRATIVE ORDER

No. 10-AO-0004-P

Local Rule 83.1.d.3 governs the admission to practice *pro hac vice* in this district by a lawyer who is not a member of the bar of this district. To be admitted *pro hac vice*, a lawyer must file a written motion to appear *pro hac vice* on a form available from the Clerk of Court.

In addition to the requirements found in Local Rule 83.1.d.3, a certificate of good standing in the jurisdiction where the lawyer primarily practices, or equivalent proof of authorization to practice, must be attached to the motion requesting admission *pro hac vice*.

IT IS SO ORDERED.

DATED this 6th day of October, 2010.


LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
HOLIDAY SCHEDULE FOR
FISCAL YEAR 2011

**PUBLIC
ADMINISTRATIVE ORDER**

No. 10-AO-03-P

The United States District Court for the Northern District of Iowa, including the Clerk of Court and Probation offices, will be closed on Friday, November 26, 2010. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any schedule he or she desires regarding this date with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer and the Federal Public Defender.

IT IS SO ORDERED.

DATED this 20 day of August, 2010.



LINDA R/READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN RE THE APPOINTMENT OF
THAD JOSEPH COLLINS AS CHIEF
BANKRUPTCY JUDGE FOR THE
NORTHERN DISTRICT OF IOWA,

**PUBLIC
ADMINISTRATIVE ORDER**

No. 10-AO-0002-P

WHEREAS 28 U.S.C. Section 154(b) requires the appointment of a Chief Judge of the Bankruptcy Court to ensure that the rules of the Bankruptcy Court and of the District Court are observed and that the business of the Bankruptcy Court is handled effectively and expeditiously; and

WHEREAS the Honorable Thad Joseph Collins has consented to serve the Bankruptcy Court for the Northern District of Iowa in the capacity of Chief Judge;

IT IS THEREFORE ORDERED that effective March 29, 2010, Thad Joseph Collins is appointed Chief Bankruptcy Judge in the Northern District of Iowa. Judge Collins will succeed Chief Judge Paul J. Kilburg whose term will expire on March 28, 2010.

IT IS SO ORDERED.

DATED this 29th day of March, 2010.



**LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

UNITED STATES COURT OF APPEALS

FOR THE

EIGHTH CIRCUIT

ORDER

The United States Court of Appeals for the Eighth Circuit hereby appoints Thad Joseph Collins as United States Bankruptcy Judge for the District of Northern Iowa; said appointment to be for a fourteen-year term, commencing March 29, 2010.

United States Court of Appeals
Eighth Circuit

By James B. Loken
James B. Loken, Chief Judge

Dated: March 18, 2010

A true copy.

Attest:

Michael E. Gans
Michael E. Gans, Clerk
U.S. Court of Appeals, Eighth Circuit

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
ELECTRONIC CASE FILING
PROCEDURES MANUAL,
AMENDED DECEMBER 1, 2009**

**PUBLIC
ADMINISTRATIVE ORDER**

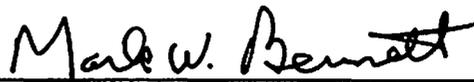
No. 09-AO-0007-P

The Electronic Case Filing Procedures Manual published on the court's website is hereby approved and adopted effective December 1, 2009.

Done and Ordered this 30th day of November, 2009.



Linda R. Reade, Chief Judge
United States District Court
Northern District of Iowa



Mark W. Bennett, Judge
United States District Court
Northern District of Iowa

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

**IN THE MATTER OF
HOLIDAY SCHEDULE FOR
FISCAL YEAR 2010**

**PUBLIC
ADMINISTRATIVE ORDER**

No. 09-AO-05-P

The United States District Court for the Northern District of Iowa, including the Clerk of Court and Probation offices, will be closed on Friday, November 27, 2009. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311. Electronic filing will remain available.

Each District Judge and Magistrate Judge may adopt any schedule he or she desires regarding this date with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer and the Federal Public Defender.

IT IS SO ORDERED.

DATED this 30th day of September, 2009.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
PUBLIC NOTICE FOR CHANGES TO
THE LOCAL RULES OF COURT

**PUBLIC
ADMINISTRATIVE ORDER**

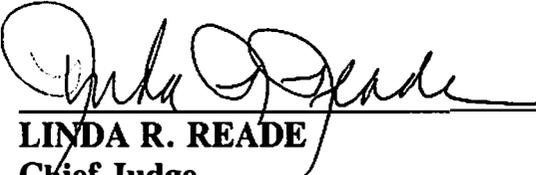
No. 09-AO-04-P

For cause, it is

ORDERED that the Local Rules Committee of the Northern and Southern Districts of Iowa is authorized to publish the attached notice, which shall constitute compliance with Federal Rule of Civil Procedure 83(a)(1).

IT IS SO ORDERED.

DATED this 26 day of August, 2009.



LINDA R. READE
Chief Judge
United States District Court



MARK W. BENNETT
District Judge
United States District Court

**NOTICE OF PROPOSED AMENDMENTS TO THE
LOCAL RULES OF THE UNITED STATES DISTRICT COURTS
FOR THE NORTHERN AND SOUTHERN DISTRICTS OF IOWA,
TO BE EFFECTIVE DECEMBER 1, 2009**

Date of Notice: August 26, 2009

Notice is hereby given that the Local Rules of the United States District Courts for the Northern and Southern Districts of Iowa will be amended effective **December 1, 2009**. The proposed amended Local Rules, together with a "redline" document showing the proposed changes from the current, January 1, 2008, version of the Local Rules, may be accessed at the courts' web sites, www.iand.uscourts.gov; www.iasd.uscourts.gov.

The proposed amendments were prompted by proposed changes to the Federal Rules of Civil and Criminal Procedure which are scheduled to take effect December 1, 2009. The Federal Rules changes have to do with computing deadlines. They take a "days are days" approach in which every day counts, including weekends and holidays, regardless of the length of the time period, except that a deadline ending on a weekend or a legal holiday is continued to the next day that is not a weekend or legal holiday. Generally, periods less than 30 days will be revised to be multiples of 7 days. Short periods in the current rules, *i.e.*, less than 11 days, will generally be lengthened to offset the change in the computation. Also, the time periods in a few rules will be extended because they were thought to be too short to be practical.

The proposed amendments to the Local Rules conform to the proposed changes to the Federal Rules and include minor related style changes. References to "court days" in the Local Rules will be eliminated. For example, LR 56.d currently requires in summary judgment proceedings that replies to the movant's statement of additional facts be filed "within 5 *court* days." The proposed Local Rule will require replies to be filed "within 7 days." Similarly, the time period for taking appeals from magistrate judge orders in LR 72.1 is modified from "10 *court* days" to "14 days." The practical effect of the changes will be that in most instances the time period will remain about the same or be slightly extended, though not in every case.

No substantive changes to the Local Rules are proposed. The "3-day mailing rule" deadline extension in Federal Rule of Civil Procedure 6(d) will remain applicable to electronically-served documents in both the Federal Rule and Local Rule 6.

The public is invited to review and make comments on the proposed amendments to the Local Rules. Comments should be directed to Chief United States Magistrate Judge Paul A. Zoss of the Northern District, either by email to paul_zoss@iand.uscourts.gov, or by mail to the United States Courthouse, 320 Sixth Street, Room 104, Sioux City, Iowa 51101. Comments will be accepted through **November 10, 2009**.

The proposed amendments will become effective only upon approval by the Article III United States District Judges of the districts. The planned effective date of the amendments is **December 1, 2009**.

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE ELECTRONIC FILING OF
DOCUMENTARY EXHIBITS

**PUBLIC
ADMINISTRATIVE ORDER**

No. 09-AO-03-P

Local Rule 83.6 and Local Criminal Rule 57.3 set forth procedures governing the marking, filing and retention of exhibits in this court. These two local rules, as well as the ECF Procedures Manual (eff. Jan. 1, 2008), *see* 08-AO-0002-P, generally contemplate that documentary exhibits will not be filed electronically or otherwise scanned and uploaded into CM-ECF/PACER.

Recent improvements in technology, as well as expansion of the court's electronic storage capacity, now make it possible to provide the public, bar and court personnel with remote electronic access to documentary exhibits through CM-ECF/PACER. Accordingly, the court **ADOPTS** the following regulations regarding the electronic filing of documentary exhibits:

1. On or before the final pretrial conference in every civil case, the parties must provide the court with electronic copies of all "documentary exhibits"¹ that they intend to use at the trial. Parties to a criminal trial must provide the court with electronic copies of all documentary exhibits offered into evidence within three days following the conclusion of such trial. The parties may provide these "e-exhibits" to the court on an electronic data

¹ A "documentary exhibit" is an exhibit comprised of one or more pages of paper, and with no non-paper content. Demonstrative aids (see LR 83.6.j) are not documentary exhibits for purposes of this administrative order.

storage device, such as a CD or DVD, or may email them to:

e-exhibits@iand.uscourts.gov.

2. Each e-exhibit provided to the court should constitute a separate data file. The file name for each exhibit should reflect the case and exhibit numbers (*e.g.*, 09cv56lrr.exA.pdf, 09cv57mwb.ex4.pdf). If an e-exhibit has multiple pages, those pages should be contained within the same file.

3. When scanning documentary exhibits, parties should use a black-and-white format unless the exhibit is a color photograph or there is another good reason why a color e-exhibit would be needed for the record of the case.

4. Parties should scan documentary exhibits into a .pdf file format using a resolution of 200 dpi x 200 dpi with no individual file to exceed 10 MB.

5. The Clerk of Court will upload and file trial e-exhibits into CM-ECF/PACER as attachments to the minutes of the trial. E-exhibits that are not offered into evidence during the trial will not be uploaded or filed. E-exhibits that are offered but not admitted will be filed in a separate attachment to the minutes as an offer of proof. All trial e-exhibits that are filed are made a part of the public record of the case unless the court specifically orders otherwise.

6. In the event that a documentary exhibit previously provided to the court is altered during the trial, the Clerk of Court will scan, upload and file the altered version into CM-ECF/PACER in lieu of the e-exhibit previously provided to the Clerk of Court electronically.

7. For all hearings at which a party intends to offer a documentary exhibit into evidence other than a trial, the party must directly file the document as an e-exhibit into CM-ECF/PACER. To the greatest extent possible, the party must file the e-exhibit as an attachment to that party's motion, resistance or other filing made in connection with the hearing. Each e-exhibit should be filed as a separate attachment to the motion, resistance or other filing.² E-exhibits must be filed in numeric or alphabetic order. If an exhibit that was not filed as an attachment to the motion, resistance or other filing is offered into evidence at the hearing, within three days following the conclusion of the hearing, the offering party must provide the court with an electronic copy of the exhibit.

8. Each party is responsible for providing the court with electronic copies of all court exhibits it intends to use at a trial just as if such exhibit were one of that party's own exhibits. For example, a party is responsible for providing the court with an electronic copy of the transcript of a deposition if the party wishes to have the deposition read into the record of the case. Court exhibits will be filed in a separate attachment to the minutes. Court exhibits are part of the formal record of the case but are not provided to the jury.

9. The Clerk of Court will retain the paper copies of all documentary exhibits introduced during trials and other hearings in the normal course. Paper copies of exhibits will be destroyed only after the case becomes final and a notice of destruction of exhibits is given pursuant to LR 83.6.g or LCrR 57.3.f.

10. This administrative order supersedes any provision to the contrary in the Local

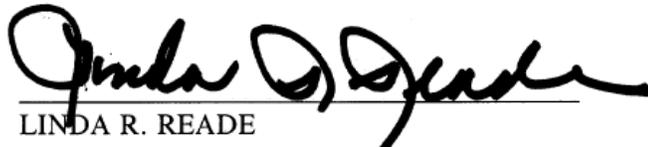
² Letters of support from the family and friends of criminal defendants may be bundled and filed as a single e-exhibit. The individual letters must be separately identified within the e-exhibit. (*e.g.*, Letter A-1, Letter A-2, *etc.*)

Rules. A presiding judge may alter any of the above guidelines in a given case as appropriate, via either standing order, trial management order or *ad hoc* order.

11. The court's ordinary rules governing the sealing of documents and the redaction of personal information apply with equal force to all e-exhibits.

IT IS SO ORDERED.

DATED this 29th day of May, 2009.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
PRO HAC VICE FEES

**PUBLIC
ADMINISTRATIVE ORDER**

No. 09-AO-0002-P

In civil cases filed in this District, lawyers who are not admitted to the bar of this District must be admitted Pro Hac Vice in each case in which the attorney appears, and pay the Pro Hac Vice fee for each such admission, (other than government lawyers from whom no fee is due). However, the fee is waived for a lawyer who has previously appeared for the same client and paid a Pro Hac Vice fee, and then, while the case is pending, the lawyer appears for the same client in another case. A lawyer who is appearing in this District for the same client simultaneously in several cases should only pay one Pro Hac Vice fee for that client.

IT IS SO ORDERED.

DATED this 30 day of March, 2009.


Linda R. Reade, Chief Judge
United States District Court
Northern District of Iowa

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
GUIDELINE SENTENCING
PROCEDURES

PUBLIC
ADMINISTRATIVE ORDER

No. 08-AO- 13 -P

(Supersedes N.D. Order No. 1241 filed
12/5/94)

1. This order governs procedures for imposing sentences.
2. The sentencing hearing shall be scheduled no earlier than eighty (80) calendar days following entry of a plea of guilty or nolo contendere, or verdict of guilty.
3. Within two (2) working days following entry of plea of guilty or nolo contendere, verdict of guilty, or the filing of a written waiver by the defendant of Fed. R. Crim. P. 32(e)(1), counsel for the defendant shall notify the U.S. Probation Office of counsel's desire to attend any interview of the defendant conducted by a probation officer in the course of a presentence investigation. The initial interview with the defendant by the probation officer shall occur no later than five (5) calendar days after the determination of guilt or the filing of a written waiver by the defendant of Fed. R. Crim. P. 32(e)(1). Extensions may be granted if counsel for the defendant or the probation officer can show good cause. Subsequent interviews shall occur within reasonable time frames.
4. Within fourteen (14) calendar days following the acceptance of a plea of guilty or nolo contendere, or verdict of guilty, or the filing of a written waiver by the defendant of Fed. R. Crim. P. 32(e)(1), counsel for the United States shall provide and counsel for the defendant may provide to the probation office and serve upon opposing

counsel a written statement, consisting of consecutively numbered paragraphs, of the defendant's offense conduct in the case, including a synopsis of all proof which the party relies upon in its calculation of the applicable guideline range, including the proof it has bearing upon specific offense characteristics and adjustment criteria. If counsel for a party later becomes aware of further relevant information not known at the time of the initial written statement, such information shall be provided immediately to the probation office and opposing counsel in a supplement to the original statement.

5. (a) The Presentence Investigation Report (PSIR) required by Fed. R. Crim. P. 32(d) shall be completed and disclosed to the parties not less than thirty-five (35) calendar days before the date set for sentencing. Disclosure of the initial PSIR to counsel for the defendant shall mean the PSIR has been furnished to the defendant for purposes of Fed. R. Crim. P. 32(e)(2). Within fourteen (14) calendar days after the PSIR's disclosure, counsel shall communicate to the probation officer in writing, with a copy served on opposing counsel, any objections counsel may have to any material facts, information, sentencing classifications, sentencing guideline ranges, and policy statements contained in or omitted from the PSIR. If counsel has no such objections, counsel shall file a statement of the same within fourteen (14) days after the initial disclosure of the PSIR.

(b) After receiving counsels' responses to the initial PSIR, the probation officer shall conduct any further investigation the officer deems necessary and may make revisions to the PSIR. In order to resolve the objections raised by counsel, the officer may meet with the defendant, the defendant's counsel, and the attorney for the United States to discuss those objections.

(c) Not later than seven (7) calendar days prior to the sentencing date, the probation officer shall submit the final PSIR to the parties and sentencing judge. Disclosure of the final PSIR to counsel for the defendant shall mean the final presentence

report has been furnished to the defendant for purposes of Fed. R. Crim. P. 32(g). If there are remaining unresolved objections to the PSIR from either side, the PSIR shall be accompanied by an addendum setting forth any unresolved objections, the grounds for those objections, and the probation officer's comments on the objections. The probation officer shall certify that the contents of the PSIR, including any revisions to it, have been disclosed to the defendant and to counsel for the defendant and the United States, that the content of any addendum has been disclosed to counsel, and that the addendum fairly states any remaining unresolved objections. The probation officer shall provide the sentencing judge an estimate as to the length of the sentencing hearing.

(d) Except for any objection made under subparagraph (a) above that has not been resolved, the PSIR submitted to the sentencing judge may be accepted as the sentencing judge's findings of fact and guidelines determinations. The Court may, however, for good cause shown, allow a new objection to be raised at any time before the imposition of sentence. Any such new objection shall be filed with the Court and served upon opposing counsel, with a copy sent to the probation office, as soon as the objection becomes known.

(e) The time limits set forth in this order may be modified by the Court for good cause shown except that the PSIR must be disclosed at least seven (7) calendar days before the sentencing date unless this minimum period is waived by the defendant.

(f) Nothing in this order requires the disclosure of any portions of the PSIR that are not disclosable under Fed. R. Crim. P. 32.

(g) The probation office shall not disclose the confidential sentencing recommendation which is provided to the Court along with the final version of the PSIR.

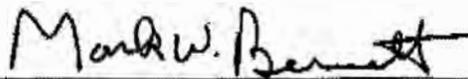
(h) For the purpose of this order a PSIR is deemed to have been disclosed (1) when a copy of it is physically delivered; (2) one day after the PSIR's availability for

inspection is orally communicated; or (3) three days after a copy of it or notice of its availability is mailed.

Done and Ordered this 31 day of October, 2008.



Linda R. Reade, Chief Judge
United States District Court
Northern District of Iowa



Mark W. Bennett, Judge
United States District Court
Northern District of Iowa



Donald E. O'Brien, Senior Judge
United States District Court
Northern District of Iowa

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF
HOLIDAY SCHEDULE FOR
FISCAL YEAR 2009

PUBLIC
ADMINISTRATIVE ORDER

No. 08-AO-12-P

The United States District Court for the Northern District of Iowa, including the Clerk of Court and Probation offices, will be closed on Friday, November 28, 2008, and Friday, December 26, 2008. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at (319) 286-2311.

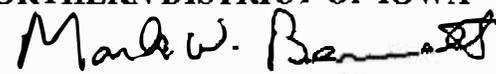
Each District Judge and Magistrate Judge may adopt any schedule he or she desires regarding these dates with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer and the Federal Public Defender.

IT IS SO ORDERED.

DATED this 10th day of October, 2008.


LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
GUIDELINES ON TAXATION OF
COSTS BY THE CLERK OF COURT

**PUBLIC
ADMINISTRATIVE ORDER**

No. 08-AO-11-P

The *Guidelines on Taxation of Costs by the Clerk of Court*, published in January 2001, was for informational purposes only and does not have any precedential or binding effect on the court. The taxation of costs in a civil case is governed by Local Rule 54, Federal Rule of Civil Procedure 54(d), and applicable case law.

IT IS SO ORDERED.

DATED this 30th day of September, 2008.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
AMENDED SPEEDY TRIAL ACT
PLAN

**PUBLIC
ADMINISTRATIVE ORDER**

No. 08-AO-10-P

The court **ADOPTS** the attached Amended Speedy Trial Act Plan after receiving approval from the Eighth Circuit Judicial Council. The Clerk of Court is directed to remove Administrative Order No. 800 from the court's website.

IT IS SO ORDERED.

DATED this 1st day of August, 2008.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA**

**SPEEDY TRIAL PLAN
(Amending AO 800, filed July 1, 1980)**

Effective: July 1, 2008

Pursuant to the requirements of the Speedy Trial Act of 1974, Pub. L. No. 93-619, and the Speedy Trial Amendments Act of 1979, Pub. L. No. 96-43, 93 Stat. 327 (codified as amended at 18 U.S.C. § 3161 *et seq.*); the Juvenile and Delinquency Prevention Act of 1974, Pub. L. No. 93-415, 88 Stat. 1109 (codified as amended at 18 U.S.C. § 5031 *et seq.*) (“JDP A”); and Federal Rule of Criminal Procedure 50, the United States District Court for the Northern District of Iowa adopts the following plan to minimize undue delay and to further the prompt disposition of criminal cases and certain juvenile proceedings.

I. Applicability

- (A) Offenses. The time limits set forth herein are applicable to all criminal offenses triable in this court, including cases triable by United States Magistrate Judges, except for petty offenses as defined in 18 U.S.C. § 19. They are not applicable to proceedings under the JDP A, except as specifically provided.

- (B) Persons. The time limits are applicable to accused persons who have been arrested or served with a summons but not indicted, as well as those who have been indicted or informed against, and the word “defendant” includes such persons unless the context indicates otherwise.

II. Priorities in Scheduling Criminal Cases

Preference will be given to criminal proceedings as far as practicable, as required by Rule 50. The trial of defendants in custody solely because they are awaiting trial will be given preference over other criminal cases.

III. Time Within Which an Indictment or Information Must be Filed

- (A) Time Limits. If an individual is arrested or served with a summons and the complaint charges a federal offense to be prosecuted in this court, any indictment or information subsequently filed in connection with such charge must be filed within 30 days of the arrest or service of summons. 18 U.S.C. § 3161(b).
- (B) Grand Jury Not in Session. If a defendant is charged with a felony to be prosecuted in this district, and no grand jury has been in session during the 30-day period prescribed in subsection (a), such period will be extended an additional 30 days. 18 U.S.C. § 3161(b).
- (C) Measurement of Time Periods.
 - (1) If a person has not been arrested or served with a summons on a federal charge, an arrest on a federal charge will be deemed to have been made at the earliest of such time as the person (i) is held in custody solely for the purpose of responding to a federal charge; (ii) is delivered to the custody of a federal official in connection with a federal charge; or (iii) appears before a judicial officer in response to a federal charge.
 - (2) At the time of the earliest appearance of a person who has been arrested for an offense not charged in an indictment or information, the federal judicial officer before whom such appearance is made must establish for the record the date on which the arrest took place.
 - (3) In the absence of a showing to the contrary, a warrant or summons will be considered to have been served on the date of service shown on the return.

IV. Pre-Indictment Rulings on Excludable Time and Continuances

- (A) In the event the United States Attorney anticipates that an indictment or information will not be filed within the time limit set forth in Section III of this Plan, the United States Attorney may file a written

motion under 18 U.S.C. § 3161(h) requesting additional time. The motion must state (i) the period of time proposed for exclusion, (ii) the basis of the proposed exclusion, and (iii) whether or not the defendant is being held in custody on the basis of the complaint. In appropriate circumstances, the motion may include a request that some or all of the supporting material be considered *ex parte* and *in camera*.

- (B) The court may grant a continuance of the time limit for filing an information or indictment under 18 U.S.C. § 3161(h)(8) for either a specific period of time or a period to be determined by reference to an event (such as recovery from illness) not within the control of the government. If the continuance is to a date not certain, the court will require one or both parties to inform the court promptly when and if the circumstances that justify the continuance no longer exist. In addition, the court will require one or both parties to file periodic reports bearing on the continued existence of such circumstances.

V. Time Within Which Pretrial Motions Must be Filed

All pretrial motions must be filed in accordance with the Standing Order issued by the court following the arraignment.

VI. Time Within Which Trial Must Commence

- (A) Time Limits. The trial of a defendant must commence not later than 70 days after the last to occur of the following dates:
- (1) The date on which an indictment or information is filed in this district;
 - (2) The date on which a sealed indictment or information is made available to the public; or
 - (3) The date of the defendant's first appearance before a judicial officer of this district.
- (B) Retrial and Trial After Reinstatement of an Indictment or Information. The retrial of a defendant must commence within 70

days from the date the order occasioning the retrial becomes final. The trial of a defendant upon an indictment or information dismissed by a trial court and reinstated following an appeal must commence within 70 days from the date the mandate is filed. If the retrial or trial follows an appeal or collateral attack, the court may extend the period, if unavailability of witnesses or other factors resulting from the passage of time make trial within 70 days impractical. The extended period must not exceed 180 days. 18 U.S.C. § 3161(d)(2), (e).

- (C) Withdrawal of Plea. If a defendant enters a plea of guilty or *nolo contendere* to any or all charges in an indictment or information and subsequently is permitted to withdraw the plea, the time limit will be determined for all counts as if the indictment or information were filed on the day the order permitting withdrawal of the plea became final.
- (D) Superseding Charges. If, after an indictment or information has been filed, a complaint, indictment, or information is filed which charges the defendant with the same offense or with an offense required to be joined with that offense, the time limit applicable to the subsequent charge will be determined as follows:
- (1) If the original indictment or information was dismissed on motion of the defendant before the filing of the subsequent charge, the time limit must be determined without regard to the existence of the original charge.
 - (2) If the original indictment or information was dismissed on motion of the United States Attorney before the filing of the subsequent charge, the trial must commence within the time limit for commencement of trial on the original indictment or information, but the period during which the defendant was not under charges must be excluded from the computation. Such period is the period between the dismissal of the original indictment or information and the date the time would have commenced to run on the subsequent charge had there been no previous charge.

- (3) If the original indictment or information is pending at the time the subsequent charge is filed, the trial must commence within the time limit for commencement of trial on the original indictment or information unless the court grants a motion for continuance.
- (4) If the subsequent charge is by complaint, the formal time limit within which an indictment or information must be obtained on the charge will be determined without regard to the existence of the original indictment or information, but earlier action may in fact be required if the time limit for commencement of trial is to be satisfied.

(E) Measurement of Time Periods. For the purposes of this section:

- (1) If a defendant consents to be tried before a magistrate judge and no indictment or information charging the offense has been filed, the time limit must run from the date of such consent. Said consent must be in writing.
- (2) In the event of a transfer to this district under Fed. R. Crim. P. 20, the indictment or information will be deemed filed in this district when the papers in the proceeding or certified copies thereof are filed by the clerk.
- (3) A trial in a jury case will be deemed to commence at the beginning of voir dire.
- (4) A trial in a non-jury case will be deemed to commence on the day the case is called, provided that some step in the trial procedure immediately follows.

(F) Meeting the Scheduled Trial Date.

- (1) In General. Individual calendars will be managed so that it will be reasonably anticipated that every criminal case set for trial will commence on the date of original

setting. A conflict in schedules of trial counsel may be grounds for a continuance when a timely motion is filed with, and approved by, the court.

- (2) Transfer of Cases for Trial. If it appears that compliance with the time limit before the judge to whom the case is assigned will not be possible, the assigned judge may make arrangement for transfer of the case to another member of the court for purposes of trial.

VII. Minimum Period for Defense Preparation

Unless the defendant consents in writing to the contrary, the trial must not commence earlier than 30 days from the date on which counsel first enters an appearance or on which the defendant expressly waives counsel and elects to proceed *pro se*. 18 U.S.C. § 3161(c)(2). In circumstances in which the 70-day time limit for commencing trial on a charge in an indictment or information is determined by reference to an earlier indictment or information pursuant to Section VI (D) of this Plan, the 30-day minimum period will also be determined by reference to the earlier indictment or information. When prosecution is resumed on an original indictment or information following a mistrial, appeal, or withdrawal of guilty plea, a new 30-day minimum period will not begin to run. In all cases, the court will schedule trials so as to permit defense counsel adequate preparation time in light of all the circumstances.

VIII. Special Time Limits Applicable to Juvenile Proceedings

- (A) Time Within Which Adjudication Must Commence. An alleged delinquent who is in detention pending adjudication must be adjudicated within 30 days of the date on which such detention began or was commenced, as provided in 18 U.S.C. § 5036.
- (B) Time of Dispositional Hearing. If a juvenile is adjudicated delinquent, a separate dispositional hearing must be held no later than 20 court days after adjudication, unless the court has ordered further study of the juvenile in accordance with 18 U.S.C. § 5037(a) and (e).

IX. Time Within Which Defendant Should be Sentenced

- (A) Time Limit. Sentencing will be held no earlier than 70 days and, ordinarily, no later than 90 days after the date of conviction. Unless otherwise ordered by the court or waived by defendant, the probation office must disclose the presentence investigation report (PSI) to counsel for the government and counsel for the defendant at least 35 days before sentencing. Any objections to the information contained in the PSI must be made in writing within 14 days after receiving the report. The final revised PSI and addendum must be submitted to the sentencing judge and parties at least 7 days prior to the scheduled sentencing hearing. A presentence investigation may be commenced prior to a plea of guilty or *nolo contendere* or a conviction, upon written consent of the defendant and counsel.

X. Exclusion of Time from Computations in General; Continuances

- (A) Applicability. In computing any time limit applicable to calculating the time in which pretrial motions must be filed (Section V), time limits applicable to juvenile proceedings (Section VIII), or time in which a defendant must be sentenced (Section IX), the periods of delay set forth in 18 U.S.C. 3161(h) must be excluded. Such periods of delay will not be excluded in computing the minimum period for commencement of trial under Section VII of this Plan.
- (B) Records of Excludable Time. The Clerk of Court must enter on the docket, in the form prescribed by the Administrative Office of the United States Courts, information with respect to excludable periods of time for each criminal defendant.
- (C) Continuances.
- (1) Findings. If it is determined that a continuance is justified, the court will set forth its findings in the record, either orally or in writing. If the continuance is granted under 18 U.S.C. § 3161(h)(8), the court will also set forth its reasons for finding that the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a

speedy trial.

- (2) Length. The court may grant a continuance under 18 U.S.C. § 3161(h)(8) for either a specific period of time or a period to be determined by reference to an event (such as recovery from illness) not within the control of the government.
- (3) Reports from the Parties. If the continuance is to a date not certain, the court will require one or both parties to inform the court promptly when and if the circumstances that justify the continuance no longer exist.

XI. Monitoring Compliance With Time Limits

- (A) Responsibilities of the Clerk of Court. The Clerk of Court must:
 - (1) Maintain and compile such statistical data as is required to be maintained by statute and by the Administrative Office of the United States Courts.
 - (2) Monitor, on a continuing basis, the progress of each defendant toward trial and review the status of each defendant so as to anticipate problems which may be developing and make recommendations to the court for reassignment of cases for trial.
- (B) Responsibility of the United States Marshal. The Marshal must promptly notify the court of the arrest of a defendant upon a warrant issued by another district.
- (C) Responsibility of the United States Attorney. The United States Attorney must notify the court at the earliest practicable time of the date of the beginning of custody of a defendant held in custody solely for the purpose of awaiting trial.

XII. Persons Serving Terms of Imprisonment

If the United States Attorney knows that a person charged with an offense is serving a term of imprisonment in any penal institution, the United States Attorney must promptly seek to obtain the presence of the prisoner for trial, or cause a detainer to be filed in accordance with 18 U.S.C. § 3161(j).

XIII. Sanctions

- (A) **Dismissal or Release from Custody.** Failure to comply with the Speedy Trial Act may result in dismissal of the charges or release of the defendant from pretrial custody. 18 U.S.C. § 3162. Nothing in this Plan may be construed to require that a case be dismissed or a defendant be released from custody beyond the circumstances set forth in 18 U.S.C. §§ 3162 and 3164. The court retains the power to dismiss a case for unnecessary delay pursuant to Federal Rule of Criminal Procedure 48(b) or pursuant to the Interstate Agreement on Detainers, 18 U.S.C. App'x 2, Pub. L. No. 91-538, 84 Stat. 1397.
- (B) **Discipline of Attorneys.** In a case in which counsel (1) knowingly allows the case to be set for trial without disclosing the fact that a necessary witness would be unavailable for trial, (2) files a motion solely for the purpose of delay which counsel knows is frivolous and without merit, (3) makes a statement for the purpose of obtaining a continuance which counsel knows to be false and which is material to the granting of the continuance, or (4) otherwise willfully fails to proceed to trial without justification consistent with 18 U.S.C. § 3161, the court may punish such counsel as provided in 18 U.S.C. § 3162(b) and (c).
- (C) **Alleged Juvenile Delinquents.** An alleged delinquent in custody whose adjudication has not commenced within the time limit set forth in 18 U.S.C. § 5036 will be entitled to dismissal of the case pursuant to that section unless the government shows that the delay was consented to or caused by the juvenile or defense counsel, or would be in the interest of justice in the particular case.

XIV. Statistical Reporting

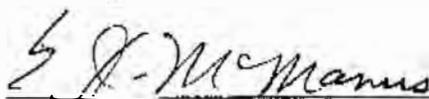
Information and statistics concerning the administration of criminal justice in the district are dynamic in nature and can be captured at any instant most effectively using the reporting function of the district's case management/electronic case filing system. The clerk shall provide upon request all statistics concerning the administration of criminal justice as set forth in 18 U.S.C. § 3166(c).

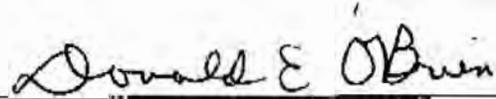
XV. Improvements in Administration of Justice

If the district identifies rules changes, statutory amendments, or appropriations needed to effectuate further improvements in the administration of justice under this Plan, the district will file a report listing said recommendations with the Eighth Circuit Judicial Council. 18 U.S.C. § 3166(d). If the district identifies reporting forms, procedures, or time requirements needed to effectuate further improvements in the administration of justice under this Plan, the district will file a report listing said recommendations with the Administrative Office of the United States Courts. 18 U.S.C. § 3166(e).

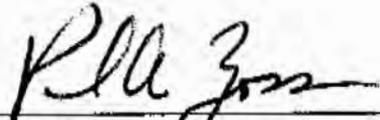

LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA


MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA


EDWARD J. McMANUS
SENIOR JUDGE, U.S. DISTRICT COURT


DONALD E. O'BRIEN
SENIOR JUDGE, U.S. DISTRICT COURT


JON S. SCOLES
MAGISTRATE JUDGE
U.S. DISTRICT COURT


PAUL A. ZOSS
CHIEF MAGISTRATE JUDGE
U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE ELECTRONIC FILING OF
TRANSCRIPTS

**PUBLIC
ADMINISTRATIVE ORDER**

No. 08-AO-0009-P

At its September 2007 session, the Judicial Conference of the United States (“Judicial Conference”) approved a new policy (“Policy”) to make electronic transcripts of court proceedings available to the public. In relevant part, the policy provides:

- a. A transcript provided to a court by a court reporter or transcriber will be available at the office of the clerk of court for inspection only, for a period of 90 days after it is delivered to the clerk;
- b. During the 90-day period, a copy of the transcript may be obtained from the court reporter or transcriber at the rate established by the Judicial Conference, the transcript will be available within the court for internal use, and an attorney who obtains the transcript from the court reporter or transcriber may obtain remote electronic access to the transcript through the court’s CM/ECF system for purposes of creating hyperlinks to the transcript in court filings and for other purposes; and
- c. After the 90-day period has ended, the filed transcript will be available for inspection and copying in the clerk’s office and for download from the court’s CM/ECF system through the judiciary’s PACER system.

JCUS-SEP 07, pp. 12.

The United States District Court for the Northern District of Iowa (“Court”) will adhere to the Policy in a manner consistent with the Judicial Conference’s written guidance

and the privacy provisions of the E-Government Act of 2002, Pub. L. 107-347, 116 Stat. 2899 (Dec. 17, 2002), Federal Rule of Civil Procedure 5.2, Federal Rule of Criminal Procedure 49.1, Local Rule 10.h, and Local Criminal Rule 7.1. Accordingly, the Court adopts the following specific procedures for electronic transcripts:

1. The Clerk of Court will create an email address for the receipt of electronic transcripts of court proceedings, and will inform court reporters of this address.
2. After completing a transcript of a court proceeding, the court reporter must promptly email an unredacted electronic copy of the transcript to the Clerk of Court in “.pdf” format.
3. The Clerk of Court will file the unredacted electronic transcript through the Court’s Case Management/Electronic Case Files (“CM/ECF”) system.¹ The Clerk of Court will not immediately make the electronic transcript available for general, remote public access through CM/ECF, but for 90 calendar days after the filing of the unredacted electronic transcript in CM/ECF (“the 90-day period”), the Clerk of Court will ensure that access to the electronic transcript is available only to the following four categories of individuals: (a) court employees; (b) members of the public at public terminals in the offices of the Clerk of Court; (c) persons or entities that have purchased the transcript from the court reporter; and (d) other persons or entities as directed by the court.
4. During the 90-day period, members of the public who have not purchased the transcript from the court reporter may inspect the electronic transcript at public terminals in the offices of the Clerk of Court, but they may not copy or print the transcript.

¹ The Clerk of Court will file electronic transcripts of sealed court proceedings in accordance with the standard procedures for filing sealed documents.

5. The Clerk of Court will notify the parties of the filing of the unredacted electronic transcript in the normal course,² and will attach a copy of this Administrative Order to the notification.
6. If the transcript contains any of the following personal identifiers—(a) a Social Security number; (b) a financial account number; (c) the name of a minor child; (d) a date of birth; or (e) in a criminal case, an individual’s home address (collectively, “the listed personal identifiers”)—the parties must, within 21 calendar days of the filing of the unredacted electronic transcript, serve and file a request for redaction (“Request for Redaction”) requesting that the personal identifiers be redacted from the transcript. In a Request for Redaction, the parties may request redaction only of the listed personal identifiers. A party filing a Request for Redaction must immediately send a copy of the Request to the court reporter.
7. If a party wants the court reporter to redact other information from the transcript, the party must, within 21 calendar days of the filing of the unredacted electronic transcript, serve and file a motion asking that the redactions be made to the transcript (“Motion for Redaction”). A party filing a Motion for Redaction must immediately send a copy of the Motion to the court reporter. If a Motion for Redaction is filed, the Clerk of Court will not release the electronic transcript for general, remote public access through CM/ECF until the Court has ruled upon the motion, even if the 90-day period has expired. When the Court rules upon a Motion for Redaction, the Clerk of Court will send a copy of the ruling to the court reporter.
8. A party filing a Request for Redaction or a Motion for Redaction must specify, by page and line number, the specific portions of the electronic transcript the party

² For example, the Clerk of Court will transmit a notice to the parties via the Notice of Electronic Filing through CM/ECF, unless the parties are not registered for CM/ECF, in which case manual notice will be provided.

wants redacted, and also must indicate precisely how such portions of the electronic transcript should be redacted.³

9. Within (a) 31 calendar days after the filing of the unredacted electronic transcript, or (b) 10 calendar days after the ruling by the Court on any Motion for Redaction, whichever is later, the court reporter must perform the redactions in any Request for Redaction, and any additional court-ordered redactions, and email a redacted version of the electronic transcript to the Clerk of Court in “.pdf” format. The title page of this redacted electronic transcript must indicate that it is a “REDACTED TRANSCRIPT.” At the conclusion of the transcript, the court reporter must insert the following certification: “I certify that the foregoing is a correct copy of the transcript originally filed with the Clerk of Court on [date], incorporating redactions of personal identifiers and any other redactions ordered by the Court, in accordance with Administrative Order [number].”⁴
10. The Clerk of Court will file the redacted electronic transcript as an attachment to the unredacted electronic transcript in CM/ECF. The Clerk of Court will notify the parties of the filing of the redacted transcript in the normal course.
11. After (a) the expiration of the 90-day period, or (b) the filing of a redacted electronic transcript by the Clerk of Court in accordance with paragraph 10, above, whichever is later, the Clerk of Court will make the redacted electronic transcript available for general, remote public access through CM/ECF via PACER, and also

³ For example, if a party wishes to redact the Social Security number 123-45-6789 appearing on page 12, line 9 of a transcript, the party might state: “Redact the Social Security number on page 12, line 9, to read xxx-xx-6789.” The Request should not disclose a listed personal identifier.

⁴ The court reporter must ensure that the addition or deletion of text in the redacted electronic transcript preserves the integrity of the lines and page numbers from the unredacted electronic transcript.

will make it available for inspection, copying, and printing at public terminals in offices of the Clerk of Court.

12. After the expiration of the 90-day period, if no party has filed a Request for Redaction or a Motion for Redaction, the Clerk of Court will make the unredacted electronic transcript available for general, remote public access through CM/ECF via PACER.
13. Anyone may purchase a copy of the transcript from the court reporter before it is made available for general, remote public access through CM/ECF via PACER. The Clerk of Court will make the electronic transcript available to the purchaser upon being notified of the purchase by the court reporter.

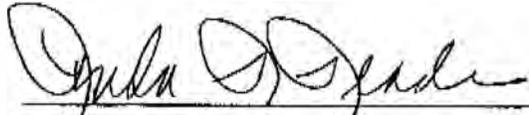
This Administrative Order applies to all transcripts of proceedings filed on or after May 15, 2008. In accordance with 28 U.S.C. § 753(b), the court reporter must continue to provide certified written transcripts of court proceedings to the Clerk of Court.

Nothing in this Administrative Order is intended to create a private right of action against court reporters, the Clerk of Court, or the Court for any failure to redact required information or for any errors associated with such redaction. Counsel—not court reporters, the Clerk of Court, or the Court—are responsible for redaction of the listed personal identifiers.

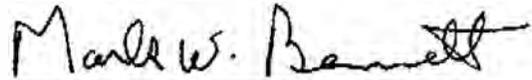
Counsel appointed under the Criminal Justice Act may claim compensation, at the applicable rate, for time spent and costs incurred in reviewing unredacted electronic transcripts and in preparing a Notice of Redaction, a Motion for Redaction, and appropriate related motions and responses to motions.

IT IS SO ORDERED.

DATED this 30th day of June, 2008.



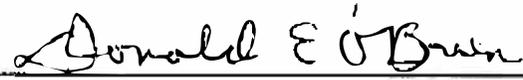
LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA



MARK W. BENNETT
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA



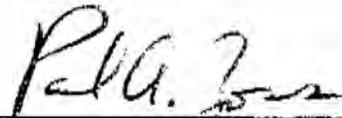
EDWARD J. McMANUS
SENIOR JUDGE, U.S. DISTRICT COURT



DONALD E. O'BRIEN
SENIOR JUDGE, U.S. DISTRICT COURT



JON S. SCOLES
MAGISTRATE JUDGE
U.S. DISTRICT COURT



PAUL A. ZOSS
CHIEF MAGISTRATE JUDGE
U.S. DISTRICT COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE COLLATERAL FORFEITURE
SCHEDULE FOR THE FISH AND
WILDLIFE SERVICE

**PUBLIC
ADMINISTRATIVE ORDER**

No. 08-AO-07-P

Pursuant to Federal Rule of Criminal Procedure 58(d) and Local Criminal Rule 58, the court **ADOPTS** the attached collateral forfeiture schedule for U.S. Fish and Wildlife offenses. Persons charged with violating an offense listed in the attached forfeiture of collateral schedule for U.S. Fish and Wildlife offenses may, in lieu of appearance, post collateral in the amount indicated for the offense and consent to forfeiture of collateral.

The Clerk of Court is directed to remove Administrative Order 1183 from the website.

IT IS SO ORDERED.

DATED this 13th day of March, 2008.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**FORFEITURE OF COLLATERAL SCHEDULE
UNITED STATES FISH AND WILDLIFE SERVICE**

NOTE: Due to increased liability and potential severity for environmental degradation posed by commercial and organized activities, the collateral amounts for violations listed herein shall be doubled. Organization includes a corporation, government or government agency, business, trust, estate, partnership, association, club, hunting club, or any other legal entity where two or more persons have a joint or common interest.

Where a + is noted after the collateral amount, restitution may be added to the collateral amount. Refer to the valuation table to determine restitution amounts.

Where a * is noted after the collateral amount, the declared value may be added to the collateral amount. Refer to the valuation table to determine restitution amounts.

**16 USC 742j-1
AIRBORNE HUNTING ACT**

16 USC 742j-1	While airborne in aircraft, shoot, attempt to shoot, capture, kill any bird, fish or other animal	\$ 2500.00 +
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50 CFR PART 19- AIRBORNE HUNTING

19.11(a)(1)	Shoot from an aircraft for purposes of capturing or killing wildlife	\$ 1000.00 +
19.11(a)(2)	Use aircraft to harass wildlife	\$ 500.00 +
19.11(a)(3)	Participate in using aircraft to shoot or harass wildlife	\$ 500.00 +
19.32(a)	Failure to file annual report	\$ 150.00
20.91(b)	Purchase, sell, barter, or the offer thereof, mounted specimens taken by hunting	\$ 250.00 +
20.100	Take migratory game birds for which no season has been established	\$ 350.00 +
20.133	Violation of crow hunting regulations	\$ 100.00 +

**16 USC 4201-4245
AFRICAN ELEPHANT CONSERVATION ACT**

16 USC 4223	(1) import raw ivory from any country other than ivory producing country	\$ 1500.00 +
	(2) export raw ivory from the United States	\$ 1500.00 +
	(3) import raw and worked ivory that was exported from an ivory producing country in violation of that country's laws or of the CITES ivory control system	\$ 1500.00 +
	(4) import raw or worked ivory from a country for which a moratorium is in effect under Section 2202	\$ 2000.00 +

16 USC 431-433
AMERICAN ANTIQUITIES ACT

16 USC 433 Appropriate, excavate, injure, or destroy any historic
or pre-historic ruin or monument, or any object of antiquity \$ 1000.00 +

16 USC 470aa et seq.
ARCHAEOLOGICAL RESOURCES PROTECTION ACT

16 USC 470ee Knowingly excavate, remove, damage, alter, deface, or the attempt
thereof, any archaeological resource on public or Indian lands
without a permit or exception. \$ 1000.00 +

16 USC 668
BALD AND GOLDEN EAGLE PROTECTION ACT

16 USC 668(a) Take, possess, sell, purchase, barter, offer to sell, purchase
or barter, transport, export or import any bald eagle,
or any golden eagle, or any part, egg, or nest thereof,
or violate any permit or regulation \$ 2500.00 +

50 CFR 22- EAGLE PERMITS

22.11 Take, possess, or transport a bald or golden eagle \$1000.00 +
Take, possess, or transport parts, nest or eggs w/out a permit \$ 250.00 +
22.12 Sell, purchase, trade, barter, export, import, or offer thereof
any bald or golden eagle \$1000.00 +
or parts, nests, or eggs thereof without a permit \$ 250.00 +
22.21- 22.32 Violation of eagle permit requirements \$ 250.00

16 USC 668dd
NATIONAL WILDLIFE REFUGE ADMINISTRATION ACT

16 USC 721-731
UPPER MISSISSIPPI WILDLIFE & FISH REFUGE ACT

16 USC 460k-460K-4
REFUGE RECREATION ACT

16 USC 668dd Knowingly disturb, injure, cut, burn, remove, destroy, or
possess any real or personal property of the United States,
take or possess any fish, bird, or other vertebrate or invertebrate
animal, or part or nest thereof, enter, use, or otherwise occupy
any such area. \$ 500.00 +
Wildlife Conservation Easements Contracts violations \$ 500.00 +

16 USC 726 Enter for any purpose, disturb, injure, kill, remove, or
attempt to remove any wild bird, game animal, fur bearing

	animal, fish, flower, plant, tree or other natural growth, injure any property	\$ 500.00 +
16 USC 460k-3	The Secretary may establish reasonable charges and fees and issue permits for public use of refuges, game ranges and hatcheries	\$ 250.00

50 CFR 25-WILDLIFE REFUGE ACT, ADMINISTRATIVE PROVISIONS

25.22	Failure to turn in lost articles or money found on a NWR	\$ 50.00
25.42	Failure to display permit when requested	\$ 150.00
25.55	Failure to possess a valid entrance permit	\$ 50.00
25.72	Failure to report accidents	\$ 150.00

50 CFR 26- WILDLIFE REFUGES, PUBLIC ENTRY AND USE

26.21(a)	Trespass on National Wildlife Refuge (NWR)	\$ 200.00
26.21(b)	Permit unconfined domestic animal to enter a NWR	\$ 100.00 plus \$50.00 per animal
26.22(a)	Fail to comply with special regulations or other official notifications under 25.31	\$ 150.00
26.22(b)	Fail to abide by terms and conditions of entry permit	\$ 150.00
26.36	Public assembly/demonstration without a permit	\$ 150.00

50 CFR 27- WILDLIFE REFUGES, PROHIBITED ACTS

27.21	Take any animal or plant without authorization.	\$ 250.00 +
27.31	Travel on other than a designated route of travel.	\$ 150.00
27.31(a)	Operate a vehicle in violation of state law.	\$ 150.00
27.31(b)	Operate a vehicle under the influence of drugs or Intoxicating beverage.	\$ 500.00
27.31(c)	Operate a vehicle carelessly or heedlessly.	\$ 250.00
27.31(d)	Exceed 25 mph or posted speed limit 1-10 mph over.	\$ 50.00
	11-20 mph over.	\$ 75.00
	21-30 mph over.	\$ 100.00
	31+ mph and over.	\$ 200.00
27.31(e)	Operate vehicle without a muffler/spark arrester.	\$ 50.00
27.31(f)	Operate vehicle without license plate/registration.	\$ 50.00
27.31(g)	Operate vehicle without a drivers license.....	\$ 150.00
27.31(h)	Block road access for other vehicles.	\$ 100.00
27.31(i)	Failure to obey orders of traffic control officer.	\$ 250.00
27.31(j)	Operate over sized/over weight vehicle.	\$ 150.00
27.31(k)	Moving of vehicle involved in accident.	\$ 150.00
27.31(l)	Operate a vehicle without proper headlights, tail-lights, or brake lights.	\$ 50.00
27.31(m)	Violation of other established special vehicle requirements.	\$ 100.00

27.32(a)	Unauthorized use of a boat.	\$ 100.00
27.32(b)(1)(i-ii)	Operate boat in violation of either Coast Guard or State laws.	\$ 100.00
27.32(b)(2)	Operate boat in reckless/negligent manner.	\$ 150.00
27.32(b)(3)	Operate boat under influence of an intoxicant.	\$ 500.00
27.32(b)(4)	Interfere with operation of other boats.	\$ 100.00
27.32(b)(5)	Operate boat without proper marine head.	\$ 100.00
27.32(b)(6)	Operate a sailboat without required lights.	\$ 100.00
27.32(b)(7)	Leave boat unattended for 72 hours.	\$ 50.00
27.32(b)(8)	Unauthorized use of government boat dock.	\$ 50.00
27.33	Unauthorized waterskiing on NWR.	\$ 50.00
27.34	Unauthorized operation of aircraft on/over NWR.	\$ 250.00
27.41	Carry, possess or discharge a firearm or explosives.	\$ 150.00
	Carry, possess or discharge fireworks.	\$ 50.00
27.42	Firearms; other violations.	\$ 150.00
27.43	Use or possession of weapons other than firearms.....	\$ 150.00
27.51	Disturb, injure, damage animals on NWR.	\$ 100.00 +
	disturb, injure, damage plants on NWR.	\$ 100.00 +
27.52	Introduction of plants/animals on NWR.	\$ 100.00 +
27.61	Destruction or removal of property from NWR.	\$ 250.00 *
27.62	Search for or remove objects of antiquity.	\$150.00 +
27.63(a)	Unauthorized search for valued objects.	\$ 200.00 +
27.63(b)	Conduct archaeological studies without permit.	\$ 200.00 +
27.64	Unauthorized prospecting/mining on a NWR.	\$ 500.00 *
27.65	Tamper with vehicles or equipment.	\$ 200.00
27.71	Take or film motion pictures for commercial use.	\$ 250.00
27.72	Cause unreasonable disturbances with audio equipment.	\$ 150.00
27.73	Use of artificial light to spot or locate wildlife.	\$ 200.00
	Use of artificial light to take wildlife.	\$ 500.00 +
27.81	Enter NWR under the influence of alcohol.	\$ 250.00
27.82(b)(1)	Deliver controlled substance.	\$ 500.00
27.82(b)(2)	Possess controlled substance on a NWR.	\$ 400.00
27.82(b)(3)	Under influence of a controlled substance.	\$ 250.00
27.83	Indecency or disorderly conduct.	\$ 350.00
27.84	Interference with persons engaging in authorized activity.	\$ 350.00
27.85	Gambling on NWR.	\$ 100.00
27.86	Begging or soliciting.	\$ 100.00
27.91	Conducting field trials.	\$ 150.00
27.92	Construct, install, occupy private structure.	\$ 250.00
27.93	Abandon private property.	\$ 150.00
27.94	Simple littering on a NWR.	\$ 100.00 plus
		\$10.00 per item
	Dumping refuse or waste.	\$ 500.00
	Depositing environmental contaminants.	\$1000.00
27.95(a)	Setting unauthorized fire.	\$ 500.00
	Setting unauthorized campfire.	\$ 50.00

27.95(b)	Leaving fire unattended.	\$ 50.00
27.95(c)	Throw burning cigarette, match, etc. where it may start a fire.	\$150.00
27.95(d)	Smoking in a non-designated area.	\$ 100.00
27.96	Unauthorized advertising.	\$ 200.00
27.97	Soliciting business or conducting commercial operation.	\$ 350.00

50 CFR 31-WILDLIFE REFUGES, WILDLIFE SPECIES MANAGEMENT

31.13	No refuge commercial fishing permit.	\$ 250.00 +
31.16	Violation of federal trapping permit regulations state trapping laws, or other special trapping laws, or special trapping regulations	
	Violate state law.	\$ 100.00 +
	Violate permit conditions, etc.	\$ 100.00 +
	Failure to inspect traps.	\$ 100.00 +
	Unlawful sets; unlawful equipment.	\$ 150.00 +
	Animal unlawfully trapped.	\$ 150.00 +

50 CFR 32-WILDLIFE REFUGES, HUNTING AND FISHING

32.2(a)	Hunt without a state license.	\$ 150.00 +
32.2(b)	Hunt without a migratory waterfowl stamp.	\$ 100.00 +
32.2(c)	Hunt in violation of federal law.	\$ 250.00 +
32.2(d)	Hunt in violation of state law.	\$ 150.00 +
32.2(e)	Hunt in violation of special access requirements.	\$ 100.00 +
32.2(f)	Failure to comply with refuge specific regulations.	\$ 100.00
32.2(g)	Bow hunt with any drug on an arrow.	\$ 500.00 +
32.2(h)	Distribution of bait and hunting over bait on NWR.	\$ 500.00 +
32.2(i)	Use of nails, wire, screws or bolts to attach a tree stand to a tree, or hunt from a tree which a metal object has been driven.	\$ 100.00
32.2(j)	Use or possession of alcohol while hunting.	\$ 200.00
32.2(k)	Possession of toxic shot while hunting.	\$ 100.00 +
32.5(a)	Fish without a state license.	\$ 150.00 +
32.5(b)	Fish in violation of other Federal laws & regs.	\$ 150.00 +
32.5(c)	Failure to comply with State law.	\$ 150.00 +
32.5(d)	Failure to comply with terms and conditions authorizing or use of refuge area.	\$ 100.00 +
32.5(e)	Failure to comply with refuge special fishing regs.	\$ 100.00 +

50 CFR 70- NATIONAL FISH HATCHERIES

70.4(a)	Prohibited Acts as adopted in Part 27.	As noted in Part 27
70.4(b)	Unauthorized fishing, taking, seining or attempt to fish, take, seine any fish, amphibians, or aquatic animals.	\$ 250.00 +
70.4(c)	Unauthorized take of any animals.	\$ 300.00 +

70.4(d) Disturbing spawning fish. \$ 200.00

50 CFR 71- HUNTING AND FISHING ON NATIONAL FISH HATCHERY AREAS

71.2(a) Hunt without a state license. \$ 150.00
71.2(b) Hunt migratory waterfowl without federal stamp. \$ 100.00 +
71.2(c) Violate other Federal laws and regulations. \$ 150.00 +
71.2(d) Violate other State laws and regulations. \$150.00 +
71.2(e) Violate terms and conditions for access and use. \$ 200.00
71.2(f) Violate special notices concerning hunting. \$ 200.00 +
71.12(a) Fish without a State license. \$ 200.00 +
71.12(b)- 71.12(e) Noncompliance with other laws or regulations.....\$ 150.00 +

16 USC 703-711

MIGRATORY BIRD TREATY ACT

16 USC 703 Taking, pursuing, hunting capturing, killing, or the attempt thereof; possess, sell, barter, purchase, ship, export, import, carry, transport, offer or cause thereof, migratory birds, their parts, nests, or eggs, except as may be permitted. \$ 500.00 +

16 USC 704 Place or direct the placement of bait on or adjacent to an area for the purpose of causing, inducing, or allowing any person to take or attempt to take any migratory game bird by the aid of baiting on or over the baited area\$. 1000.00 +

16 USC 705 Ship, transport, carry in interstate or foreign commerce, any bird, part, nest, or egg thereof, captured, killed, taken, shipped, transported, or carried contrary to law of the place where captured, killed, taken, shipped, transported or carried. \$ 500.00 +

50 CFR PART 20-MIGRATORY BIRD HUNTING

20.20(b) Hunt without proof of HIP program compliance. \$ 50.00
20.21(a) Take with illegal device or substance. \$ 250.00 +
20.21(b) Take with shotgun capable of holding more than 3 shells. \$ 100.00 +
20.21(c) Take by means, aid or use of sink box. \$ 250.00 +
20.21(d) Take from or by means, aid, or use of a motor driven conveyance, motor vehicle or aircraft. \$ 250.00 +
20.21(e) Take by means of motorboat or other craft having motor attached and under power. \$ 250.00 +
20.21(f) Take by use or aid of live decoys. \$ 500.00 +
20.21(g) Take by use or aid of electronic/recorded calls. \$ 500.00 +
20.21(h) Take by means or aid of motor driven conveyance for concentrating, driving, rallying, or stirring up. \$ 250.00 +
20.21(i) Knowingly, or reasonably should have known, the take

	by aid of bait or on or over baited area.	\$ 500.00 +
20.21(j)	Take while possessing shot-shells loaded with shot other than approved non-toxic shot.	\$ 100.00 +
20.22	Take during closed season.	\$ 250.00 +
20.23	Take before/after legal shooting hours 1-15 min.	\$ 100.00 +
	16+ min.	\$ 300.00 +
20.24	Take in excess of daily bag limit.	\$ 350.00 +
20.25	Wanton waste of migratory game birds.	\$ 250.00 +
20.26	Failure to comply with temporary closure regs.	\$ 250.00 +
20.31	Possession of birds taken in violation of 20.21~20.23.	\$ 150.00 +
20.32	Possess freshly killed migratory birds during closed season.	\$ 250.00 +
20.33	Exceed possession limit of migratory birds taken in the U.S.	\$ 350.00 +
20.34	Possess in excess of daily bag limit opening day.	\$ 350.00 +
20.35	Possess or transport in excess of daily field limit.	\$ 250.00 +
20.36	Violation of tagging regulations.	\$ 100.00 +
20.37	Custody of untagged birds of another.	\$ 100.00 +
20.38	Live wounded birds in possession.	\$ 200.00 +
20.40	Receive, possess, give to another untagged birds.	\$ 100.00 +
20.41	Transport birds taken in violation of 20.21~20.24.	\$ 150.00 +
20.42	Transportation of untagged birds of another.	\$ 100.00 +
20.43	Transport migratory game birds without species I.D.	\$150.00 +
20.44	Transport unmarked or improperly marked package containing migratory game birds via postal service or common carrier.	\$ 200.00 per package
20.51	Export birds taken in violation of 20.12~20.24.	\$ 350.00 +
20.52	Export birds with species I.D. removed.	\$ 150.00 +
20.53	Export unmarked or improperly marked packages containing migratory birds as required.	\$ 200.00
20.61	Import migratory game birds in excess of legal limit.	\$ 350.00 +
20.62	Import migratory game birds belonging to another.	\$ 150.00 +
20.63	Import migratory game birds with species I.D. removed.....	\$ 150.00 +
20.64	Import, possess, transport birds killed in foreign country without required export permits.	\$ 250.00 +
20.65	Import birds not drawn or dressed as required.	\$ 150.00 +
20.66	Import unmarked or improperly marked packages containing migratory birds as required.	\$ 200.00 / pkg.
20.71	Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other federal law or regulation.	\$ 250.00 +
20.72	Take, possess, transport, or export migratory birds, their parts, nests, or eggs in violation of any other state law or regulation.	\$ 150.00 +
20.73	Take, possess, transport, or export migratory birds, their parts, nests, or eggs if taken, bought, sold, transported, possessed, or exported contrary to any law or regulation	

	of any foreign country, state, or province thereof.	\$ 250.00 +
20.81	Commercial facility with untagged migratory birds of another as required under 20.36.	\$ 250.00 +
20.82	Violation of record keeping requirement.	\$ 250.00
20.83	Failure to permit premise inspection.	\$ 300.00
20.91(a)	Purchase, sell, barter, or offer thereof for millinery or ornamental use, the feathers of migratory game birds.	\$ 250.00 +

50 CFR 21- MIGRATORY BIRD PERMITS

21.11	Import, export, take, possess, transport, sell, purchase, barter, or offer . . . any migratory bird, part, nest, or egg thereof without a permit.	\$ 250.00 +
21.12 thru 21.27	Violations of other permit regulations.	\$ 150.00 +
21.28	Violation of Falconry Permit requirements.	\$ 250.00 +
21.28(d)(1)	Take, possess, transport, golden eagle for falconry without permit.	\$ 500.00 +
21.28(d)(3)	Unauthorized purchase, sale, or barter of raptor.	\$ 500.00 +
21.29	Violation of Falconry Standards.	\$ 250.00
21.29(e)(3)	Take, possess, transport raptor in viol. of 50 CFR 21.29.	\$ 250.00 +
21.29(e)(3)(v)	Unauthorized take of a threatened species.	\$ 500.00 +
21.29(i)	Unauthorized take of a raptor.	\$ 350.00 +
21.29(g)	Failure to comply with facility/equipment standards.	\$ 250.00
21.29(j)	General violations of misc. falconry regulations.	\$ 150.00 +
21.29(j)(5)	Retain or exchange molted feathers for other than imping purposes.	\$ 250.00 +
21.30	General violation of raptor propagation permit.	\$ 250.00 +
21.30(a)	Take, possess, transport, sell, purchase, barter or transfer any raptor, raptor egg, or raptor semen for propagation without authorization.	\$ 350.00 +
21.30(d)(7)	Unauthorized hybridization of raptors.	\$ 500.00
21.41- 21.47	Violation of depredating bird regulations.	\$ 150.00 +

16 USC 718

MIGRATORY WATERFOWL HUNTING AND CONSERVATION STAMP ACT

16 USC 718a	Hunt migratory waterfowl without a federal waterfowl Stamp.	\$ 100.00
16 USC 718b	Hunt migratory waterfowl with an invalid (unsigned) Federal waterfowl stamp.	\$ 50.00 +
16 USC 718e(a)	Loan or transfer a valid migratory waterfowl stamp or use stamp validated by another.	\$ 250.00 +
16 USC 718e(b)	Alter, mutilate, imitate, or counterfeit migratory waterfowl Stamp.	\$ 500.00 +

16 USC 4910

WILD BIRD CONSERVATION ACT

16 USC 4910(a)(1)(A)	Import an exotic bird in violation of 16 USC 4904 or 4907.	\$1,000.00
16 USC 4910(a)(1)(B)	Import an exotic bird of a species listed under section 4905, not captive bred at a qualifying facility.	\$750.00

50 CFR PART 15- WILD BIRD CONSERVATION ACT

15.11(b)	Import, attempt to import, or cause the importation of an exotic bird species listed in CITES that is not included in the approved list.	\$ 250.00 +
15.11(c)	Import any exotic bird species listed in the prohibited list.	\$ 500.00 +
15.11(d)	Import any exotic bird species from a country on the prohibited country list.	\$ 250.00 +
15.11(e)	Import any exotic bird species from a qualifying facility breeding birds in captivity if the exotic bird was not captive bred at the listed facility.	\$ 250.00 +
15.11(f)	Violate conditions of a permit.	\$ 250.00 +

16 USC 1361-1407

MARINE MAMMAL PROTECTION ACT

16 USC 1372(a)	Unlawful take of a marine mammal.	\$ 2500.00 +
16 USC 1372(b)	Unlawful importation or inhumane taking.	\$ 2000.00 +
16 USC 1372(c)(1)	Unlawful importation of illegally taken marine mammal.	\$ 2500.00 +
16 USC 1372(c)(2)	Unlawful importation of marine mammal product.	\$ 1000.00 +
16 USC 1372(c)(3)	Unlawful importation of fish.	\$ 1000.00 +

50 CFR 18- MARINE MAMMALS

18.11	Unlawful take of marine mammal.	\$ 500.00 +
18.12	Unlawful import of marine mammals.	\$ 500.00 +
18.13	Unlawful port use, transport, purchase, sale of any marine mammal or marine mammal product.	\$ 500.00 +

16 USC 1538

ENDANGERED SPECIES ACT

16 USC 1538(a)(1)(A)	Import or export any endangered fish or wildlife.	\$ 2500.00 +
16 USC 1538(a)(1)(B)	Take within the United States or territorial sea.	\$ 2500.00 +
16 USC 1538(a)(1)(C)	Take upon high seas.	\$ 2500.00 +
16 USC 1538(a)(1)(D)	Possess, sell, deliver, carry, transport, or ship species taken in violation of subparagraphs (B) or (C).	\$ 2500.00 +
16 USC 1538(a)(1)(E)	Deliver, receive, carry, transport, or ship in interstate or foreign commerce, in the course of a commercial activity.	\$ 2500.00 +
16 USC 1538(a)(1)(F)	Sell or offer for sale in interstate or foreign commerce	\$ 2500.00 +
16 USC 1538(a)(1)(G)	Violate any regulation promulgated by the Secretary for threatened species	\$ 500.00 +
16 USC 1538(a)(2)(A-D)	Violate regulations regarding endangered plant species	\$ 1500.00 +
16 USC 1538(a)(2)(E)	Violate a regulation pertaining to threatened plants	\$ 500.00 +
16 USC 1538(c)	Engage in trade contrary to CITES	\$ 1000.00 +
16 USC 1538(d)	Engage in business as an importer/exporter without permission from the Secretary	\$ 1000.00 +
16 USC 1538(e)	Fail to file declaration or report by persons importing or exporting fish or wildlife products or plants	\$ 750.00 +

16 USC 1538(f) Violate designated port requirements \$ 750.00 +

50 CFR 17- ENDANGERED AND THREATENED WILDLIFE AND PLANTS

17.21(a)(b)(d) Import, export, possess, sell, deliver, carry, ship or
transport unlawfully taken endangered wildlife \$ 1500.00 +
17.21(c)(e)(f) Take, deliver, receive, sell, transport or ship in interstate
or foreign commerce endangered wildlife \$ 1500.00 +
17.21(g) Captive bred endangered wildlife violations \$ 350.00 +
17.22-17.23 Endangered species permit violations \$ 350.00 +
17.31 Violate threatened wildlife prohibitions \$ 500.00 +
17.32 Threatened species permit violations \$ 350.00 +
17.40-17.47 Violate special rules \$ 350.00 +
17.61 Violation of Endangered plant regulations \$ 1000.00 +
17.62, 17.63 Fail to comply with permit conditions \$ 250.00
17.71 Violation of Threatened plant regulations \$ 350.00 +
17.72 Fail to comply with permit conditions \$ 250.00
17.82 Violation of general experimental regulations \$ 1000.00 +
17.84-17.108 Violation of special regulations \$ 500.00 +

50 CFR 23- ENDANGERED SPECIES CONVENTION (CITES)

23.11(a)-(e) Unlawfully import, export, re-export, or possess
unlawfully imported, exported, or re-exported
Appendix I wildlife or plant species \$ 500.00 +
Appendix II wildlife or plant species \$ 350.00 +
Appendix III wildlife or plant species \$ 250.00 +

**50 CFR 14 - GENERAL REGULATIONS FOR
IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE**

14.11 Import or export wildlife at a non-designated port \$ 250.00 +
14.14(b) Knowingly unload in-transit shipment in U.S \$ 250.00
14.32,14.33 Violation of non-designated port permit conditions \$ 100.00
14.51 Failure to allow detention/inspection of wildlife \$ 350.00
14.52 Release from U.S. Customs without FWS clearance \$ 350.00
14.61- 14.63 Failure to file completed declaration as required \$ 350.00
14.81 Ship wildlife in interstate commerce without marked containers \$ 200.00
14.82 Ship in interstate or foreign commerce without
complying with marking requirements or alternatives \$ 100.00
14.91 Engage in business as importer/exporter of wildlife
without obtaining import/export license \$ 500.00
14.103 Import, transport, cause or permit transport to the U.S.
any wild mammal or bird in violation of Humane
Transport Regulations \$ 500.00 +
14.104 Failure to provide an English translation of required
certificates/documents \$ 100.00
14.105 Unauthorized acceptance by carrier of any wild mammal
or bird for transport to the U.S \$ 500.00 +
14.106 Failure by carrier to require proper primary enclosures
for transport to U.S. \$ 500.00 +
14.107 Improper animal cargo space of a conveyance \$ 500.00 +

14.108	Violation by carrier of food/water requirements	\$ 500.00 +
14.109(b)	Improper ambient air temperature and ventilation provided by holding area, transporting device, conveyance or terminal facility	\$ 500.00 +
14.110	Improper or lack of animal holding area	\$ 500.00 +
14.111	Violation of handling requirements	\$ 500.00 +
14.121- 14.172	Violation of primary enclosure specifications	\$ 500.00 +

18 USC 42
LACEY ACT

18 USC 42(a)(1)	Import, ship, possess injurious wildlife	\$ 1000.00 +
18 USC 42(c)	Import wildlife under inhumane/unhealthful conds	\$ 1500.00 +

50 CFR 16- INJURIOUS WILDLIFE

16.3	Unauthorized import or transport of wildlife deemed to be injurious. General restrictions	\$ 1000.00 +
16.11	Injurious wild mammals	\$ 500.00 +
16.12	Injurious wild birds	\$ 500.00 +
16.13	Injurious fish, mollusks, crustaceans	\$ 500.00 +
16.14	Injurious amphibians	\$ 500.00 +
16.15	Injurious reptiles	\$ 500.00 +
16.22(b)(1)	Failure to properly confine injurious species	\$ 250.00 +
16.22(b)(2)	Transfer of injurious species to unauthorized person	\$ 250.00 +

16 USC 3371-3378
LACEY ACT AMENDMENTS

16 USC 3372(a)(1)	Import, export, transport, sell, receive, acquire, or purchase, any fish, wildlife, or plant taken, possessed, transported, or sold in violation of any law, treaty or regulation of the United States, or in violation of any Indian tribal law	\$ 1000.00 +
16 USC 3372(a)(2)	Import, export, transport, sell, receive, acquire, or purchase in interstate or foreign commerce, (A) any fish or wildlife, taken, possessed, transported, or sold in violation of any law or regulation of any State, or in violation of any foreign law	\$ 1000.00 +
	(B) any plant taken, possessed, transported, or sold in violation of any law or regulation of any State	\$ 500.00 +
16 USC 3372(a)(3)	Within the special maritime and territorial jurisdiction of the United States (as defined by 18 U.S.C. 7) (A) possess any fish or wildlife taken, possessed, transported, or sold in violation of any law or regulation of any State, or in violation of any foreign law or Indian tribal law	\$ 1000.00 +
	(B) possess any plant taken, possessed, transported or sold in violation of any law or regulation of any State	\$ 500.00 +
16 USC 3372(a)(4)	To attempt to commit any act described in paragraphs (1) through (4)	Same as defined offense without restitution added
16 USC 3372(d)	Make or submit any false record, account or label for, or any false identification of any fish, wildlife, or plant which has been or	

is intended to be:

- (1) imported, exported, transported, sold, purchased, or received from any foreign country \$ 1500.00 +
- (2) transported in interstate or foreign commerce \$ 1500.00 +

16 USC 5301-5306

RHINOCEROS AND TIGER CONSERVATION ACT

- 16 USC 5305(a) Sell, import export, or attempt to sell, import or export, any product, item, or substance intended for human consumption or application containing, or labeled or advertised as containing, any substance derived from any species of rhinoceros or tiger \$ 350.00 +

50 CFR 13- GENERAL PERMIT REGULATIONS

- 13.41 Failure to maintain humane and healthful conditions for live wildlife possessed under a permit \$ 500.00 +
- 13.43 Alteration of permit \$ 200.00
- 13.45 Failure to file reports required by FWS permit \$ 200.00
- 13.46 Failure to maintain records as required by permit \$ 200.00
- 13.47 Failure to allow inspection of activity as authorized by FWS permit \$ 500.00
- 13.1 thru end All other permit violations \$ 100.00

50 CFR 24-IMPORTATION AND EXPORTATION OF PLANTS

- 24.11 Import, export, re-export plants at non-designated port of entry \$ 250.00 +

18 USC 2671(a)

HUNTING, FISHING & TRAPPING ON MILITARY RESERVATIONS

- 18 USC 2671(a) Violation of state statutes for wildlife or plants while on military reservation \$ 300.00 +

WILDLIFE/PROPERTY FORFEITURE ORDER

Unless otherwise specifically ordered by a United States Court, any wildlife or property which has been seized under the authority of the Migratory Bird Treaty Act, 16 USC 703-711; the National Wildlife Refuge System Improvement Act, 16 USC 668dd-668ss; The Eagle Protection Act, 16 USC 668-668e; The Endangered Species Act, 16 USC 1531-1542; The Migratory Waterfowl Hunting Stamp Act, 16 USC 718-718i; The Airborne Hunting Act, 16 USC 742j-1; The Marine Mammal Protection Act, 16 USC 1361-1407; The Tariff Classification Act, 19 USC 1202; The Lacey Act, 18 USC 42, The Lacey Act Amendments, 16 USC 3371-3378; The American Antiquities Act, 16 USC 433; The African Elephant Conservation Act, 16 USC 4201-4245, The Archeological Resources Protection Act, 16 USC 470aa et seq.; Rhinoceros and Tiger Conservation Act, 16 USC 5301-5306; and The Wild Bird Conservation Act, 16 USC 4901-4916, wherein the final disposition of the case has been made by either payment of a forfeiture of collateral or a judgment by the Court on behalf of the government and where so authorized by statute, such wildlife or property shall be forfeited to the U.S. Government and disposed of by the U.S. Fish and Wildlife Service in the manner prescribed by Title 50, Code of Federal

MANDATORY COURT APPEARANCES OR ARRESTS

Recognizing the concern of the U.S. Fish & Wildlife Service regarding recidivists and aggravated offenses it is herein provided that if, within the discretion of the law enforcement officer, the offense is of an aggravated nature, the law enforcement officer, notwithstanding the preceding Forfeiture of Collateral Schedule, may require mandatory appearance before the presiding United States Magistrate Judge. Nothing herein shall prohibit the law enforcement officer from arresting a person for the commission of any offense including those for which collateral may be posted and forfeited and taking said person immediately before a United States Magistrate Judge.

FISH, WILDLIFE & PLANT RESTITUTION VALUATION TABLE

Replacement values may be added to the collateral amounts. Values shall be assessed on a per capita basis (i.e. separate value added for each fish, wildlife, plant or their products possessed, transported, taken, etc. in violation of the law).

In cases where the replacement values noted in the table are lower than the declared value of the item, the higher of the two values shall be used.

Restitution values may be doubled when fish, wildlife, plants or their products are commercialized.

<u>CATEGORY</u>	<u>SPECIES</u>	<u>VALUE</u>
Big Game Mammal	Elk 6X6 or Greater	\$ 10000.00
	Typical Deer Rack (T), Non-Typical (N)	
	Deer (Boone & Crocket score 200T+, 240N +)	\$ 10000.00
	(Boone & Crocket score 175 -199T, 200-239N)	\$ 7500.00
	(Boone & Crocket score 150 - 174T, 175-199N) ...	\$ 5000.00
	(Boone & Crocket score 125 - 149T, 125-174N) ...	\$ 3000.00
	Deer/Elk/Moose/Caribou	\$ 2000.00
	Sheep	\$ 5000.00
	Polar bear/Brown bear	\$ 5000.00
	Black bear	\$ 2000.00
	Mountain Lion/Cougar/Puma	\$ 2000.00
	Pronghorn/Mt. Goat	\$ 1000.00
	Wolf	\$ 1000.00
	Exotic big game (or see ESA and CITES)	\$ 500.00
	North American big game	\$ 500.00
	Parts/Products	
	Gall bladders	\$ 250.00 each
	Antlers/Horns/Skulls	\$ 250.00 each
	Claws/teeth	\$ 25.00 each
	Misc.	\$ 100.00 each
Small Game Mammal	Woodchuck, Gray & Fox squirrel, rabbits, and all other as defined	\$ 50.00
Fur Bearing Animal	Otter	\$ 250.00
	Feline family (i.e. bobcat)	\$ 250.00
	Canine family (i.e. coyote, fox)	\$ 100.00
	Badger	\$ 100.00
	Weasels	\$ 50.00

	Procyon/Mustelid family (raccoon/muskrat).....	\$ 50.00
	All other by definition	\$ 50.00
Non-game Animals	All others by definition except those listed	\$ 500.00
	Flying squirrel.....	\$ 150.00
	Red squirrel.....	\$ 100.00
	Bats	\$ 100.00
Endangered Wildlife	ESA Part 17 Species	\$ 5000.00
	State listed endangered species not in Part 17	\$ 1000.00
	Part 23 CITES Species (including parts and products)	
	CITES Appendix I	\$ 5,000.00
	CITES Appendix II	\$ 1,000.00
	(i.e. primates, felidae, pscitticines, etc.)	
	CITES Appendix III	\$ 500.00
Threatened Wildlife	ESA Part 17 Species	\$ 2500.00
	State listed threatened species	\$ 500.00
Marine Mammal	All species	\$ 2500.00
	Parts/Curios	\$ 500.00
Migratory Game Birds	Tundra swans	\$ 1000.00
	each	
	Cranes.....	\$ 250.00
	each	
	Geese	\$ 75.00
	each	
	Ducks	\$ 75.00
	each	
	Doves	\$ 50.00
	each	
	All others	\$ 50.00
	each	

Non-game Migratory Birds

Swans, Trumpeter.....	\$ 1500.00
Mute swans	\$ 500.00
Eagles.....	\$ 1500.00
feathers/talons	\$ 150.00
Hawks/Owls.....	\$ 350.00
feathers/talons	\$ 100.00
All others (songbirds, etc.)	\$ 250.00
feathers/talons	\$ 25.00

Other Game Birds

Turkey	\$ 500.00
Grouse/Prairie Chicken	\$ 100.00
All other (quail, pheasant, etc.)	\$ 50.00
Parts/Products (per item).....	\$ 10.00

Pscitticines

Macaws/Cockatoos	\$ 1500.00
Parrots	\$ 1000.00
Finches	\$ 150.00
All Others	\$ 100.00
Parts/Products (per item).....	\$ 50.00

Reptiles

Turtles/Snakes/Lizards (or see ESA and CITES) \$	100.00*
Parts and products.....	\$ 50.00*

*or declared

value

Game Fish

By definition	\$ 50.00
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(i.e. trout, crappie, walleye, bass, pike, catfish)

Other Fish

Paddlefish/Sturgeon.....	\$ 250.00
Eggs/Roe.....	\$ 250.00
	per lb.*
Caviar (processed eggs/roe)	\$ 250.00
per	
can*	

*or declared value

Rough Fish

By definition	\$ 10.00
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(i.e. carp, buffalo, sucker, shad, etc.)

Bait Fish

By definition	\$ 10.00 *
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*or declared value

Tropical Fish

All	\$ 15.00 *
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*or declared

value

Aquatic Life

Amphibians	\$ 50.00*
Mollusks (mussels)	\$ 25.00*
Corals	\$ 50.00*

*or declared

value

Insects

Butterflies	\$ 25.00*
Arachnids.....	\$ 25.00*
All others	\$ 15.00*

*or declared value

Trees

Greater than 12 inches diameter at stump	\$ 500.00
Less than 12 inches diameter at stump.....	\$ 100.00

Bushes/Shrubs

All	\$ 100.00
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Sedges/Grasses	\$ 50.00/sq. ft. or \$10.00 per plant
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Orchids

All	\$ 50.00*
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*or declared

value

Other Plants

Ginseng (per plant or root).....	\$ 25.00*
Goldenseal.....	\$ 15.00*
All other	\$ 10.00*

*or declared value

Archeological resources

All	\$ 250.00*
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*or declared value

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
GUILTY PLEAS BEFORE CHIEF
UNITED STATES MAGISTRATE
JUDGE PAUL A. ZOSS

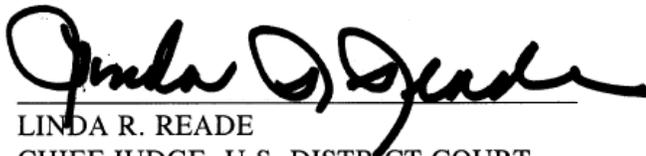
**PUBLIC
ADMINISTRATIVE ORDER**

No. 08-AO-06-P

Effective immediately, AO 1507 (“Guilty Pleas Before United States Magistrate Judge Paul A. Zoss”) may be withdrawn from the District’s website. Chief Magistrate Judge Paul A. Zoss has issued a Standing Order, dated February 1, 2008, that governs guilty plea proceedings before him. The Standing Order is available on the District’s new website under the “Judges Information” link.

IT IS SO ORDERED.

DATED this 10th day of March, 2008.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN RE THE APPOINTMENT OF
PAUL J. KILBURG AS CHIEF
BANKRUPTCY JUDGE FOR THE
NORTHERN DISTRICT OF IOWA,

**PUBLIC
ADMINISTRATIVE ORDER**

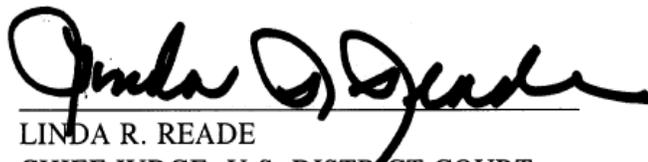
No. 08-AO-0005-P

WHEREAS 28 U.S.C. § 154(b) requires the appointment of a Chief Judge of the Bankruptcy Court to ensure that the rules of the bankruptcy court and of the district court are observed and that the business of the bankruptcy court is handled effectively and expeditiously; and

WHEREAS the Honorable Paul J. Kilburg has consented to serve the Bankruptcy Court for the Northern District of Iowa in the capacity of Chief Judge;

IT IS THEREFORE ORDERED that effective May 1, 2008, Paul J. Kilburg is appointed Chief Bankruptcy Judge in the Northern District of Iowa. Judge Kilburg will succeed Chief Judge William L. Edmonds whose term expires on April 30, 2008.

DATED this 28th day of January, 2008.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE COLLATERAL FORFEITURE
SCHEDULE FOR THE BUREAU OF
LAND MANAGEMENT

**PUBLIC
ADMINISTRATIVE ORDER**

No. 08-AO-04-P

Pursuant to Federal Rule of Criminal Procedure 58(d) and Local Rule 58, the court **ADOPTS** the attached schedule of collateral subject to forfeiture for the Bureau of Land Management in relation to petty offenses and misdemeanors in the Northern District of Iowa. Section V of Administrative Order 1183 is **RESCINDED**.

IT IS SO ORDERED.

DATED this 11th day of January, 2008.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**SCHEDULE OF COLLATERAL FORFEITURE
 IN LIEU OF APPEARANCE
 FOR VIOLATION OF REGULATIONS PROMULGATED
 BY THE
 SECRETARY OF THE INTERIOR
 THROUGH THE
 BUREAU OF LAND MANAGEMENT
 PUBLIC LAW 94 -579, OCTOBER 21, 1976
 TITLE 43 USC 1733 § 303**

STATUTE or REGULATION	DESCRIPTION of VIOLATION	COLLATERAL FORFEITURE AMOUNT IN LIEU OF APPEARANCE
16 USC § 433	American Antiquities	\$ 250
18 USC § 1361	Destruction of U.S. Government Property	\$ 250
18 USC § 1856	Fires left unattended	\$ 100
18 USC § 1858	Whoever willfully destroys, defaces, changes, or removes to another place any section corner, quarter-section corner, or meander post, on any Government Line of Survey, or willfully cuts down any witness tree or any tree blazed to mark the line of a Government survey, or willfully defaces, changes or removes any monument or bench mark of any Government survey.	\$ 200
43 USC & 1061	Unlawful Enclosures	\$ 200
43 USC § 1063	Obstruction of transit over Public Lands	\$ 100
43 CFR § 8365.1-4 (a) (2)	Creating a hazard or nuisance	\$ 250
43 CFR § 9264.1(c)	Cutting, burning, spraying, destroying or removing vegetation w/o authorization	\$ 100
43 CFR § 9264.1(d)	Damaging or removing United States property w/o authorization	\$ 100
43 CFR § 9264.1(f)	Littering	\$ 100
43 CFR § 9264.1(h)	Violating any Federal or State laws or regulations concerning conservation or protection of natural and cultural resources or the environment including, but not limited to, those relating to air and water quality, protection of fish and wildlife, plants, and the use of a chemical toxicant.	\$ 100
43 CFR § 9264.1(i)	Interfering with lawful uses or users	\$ 250
43 CFR § 9264.7(a) (2)	Converts a wild free-roaming horse or burro to private use, without authority from the authorized officer.	\$ 200

43 CFR § 9264.7(a) (3)	Maliciously caused the death, or the harassment of any wild free-roaming horse or burro.	\$ 500
43 CFR § 9264.7(a) (4)	Processes, or permits to be processed, into commercial products the remains of a wild free-roaming horse or burro.	\$ 200
43 CFR § 9264.7(a) (5)	Sells, directly or indirectly, a wild free-roaming horse or burro, or the remains thereof, which have not lost their status as a wild free-roaming horse or burro.	\$ 200
43 CFR § 9264.7(a) (6)	Uses a wild free-roaming horse or burro for commercial exploitation.	\$ 500
43 CFR § 9264.7(a) (7)	Causes or is responsible for the inhumane treatment of a wild free-roaming horse or burro.	\$ 500
43 CFR § 9264.7(a) (8)	Uses a wild free-roaming horse or burro for bucking stock.	\$ 200
43 CFR § 9264.7(a) (9)	Fails, upon written notice, to provide for inspection by an authorized officer those animals assigned to private maintenance under a cooperative agreement.	\$ 200
CFR § 9264.7(a) (10)	Fails to notify the authorized officer of the death of a wild free-roaming horse or burro within 7 days of death pursuant to 43 CFR § 4740.4-2(f) of this title.	\$ 200
43 CFR § 9264.7(a) (11)	Removes or attempts to remove, alters or destroys any official mark identifying a wild horse or burro, or its remains.	\$ 200
43 CFR § 9264.7(a) (12)	Being the assignee of a wild free-roaming horse or burro, or having charge or custody of the animal, abandons the animal without making arrangements for necessary food, water and shelter.	\$ 500
43 CFR § 9264.7(a) (13)	Being the assignee of a wild free-roaming horse or burro, or having charge or custody of the animal, fails to diligently pursue in an attempt to capture the escaped animal.	\$ 250
43 CFR § 9264.7(a) (14)	Accepts for slaughter or destruction a horse or burro bearing an official Bureau of Land Management identification mark, and which is not accompanied by a certificate that title to the animal has been transferred.	\$ 250
43 CFR § 9264.7(a) (15)	After acceptance of an animal for slaughter or destruction, fails to retain for one year the certificate of title to a horse or burro bearing and official Bureau of Land Management identification mark.	\$ 250

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE COLLATERAL FORFEITURE
SCHEDULE FOR THE NATIONAL
PARK SERVICE

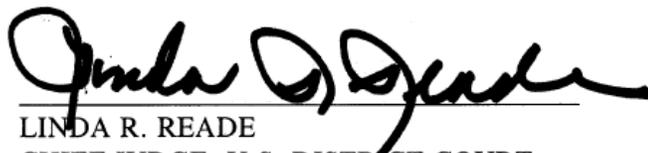
**PUBLIC
ADMINISTRATIVE ORDER**

No. 08-AO-03-P

Pursuant to Federal Rule of Criminal Procedure 58(d) and Local Rule 58, the court **ADOPTS** the attached schedule of collateral subject to forfeiture in relation to petty offenses and misdemeanors affecting federal properties administered by the National Park Service in the Northern District of Iowa. Section I of Administrative Order 1183 is **RESCINDED**.

IT IS SO ORDERED.

DATED this 11th day of January, 2008.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**National Park Service
Northern District of Iowa
Forfeiture Schedule**

January 11, 2008

Fees & Permits			
1.5(f)	Violating a closure, restriction or public use limit	33-10-00	\$50
1.6(g)(1)	Failure to obtain a public use permit	54-10-00	\$100
1.6(g)(2)	Violating a public use permit	64-10-00	\$100
2.23b	Failure to pay entrance fee	14-97-00	\$50
Preservation of Natural, Cultural, Archeological			
2.1a1-i	Wildlife-Living or dead, or parts	53-49-00	\$100
2.1a1-ii	Plants or part of	53-59-00	\$100
2.1a1-iii	Fossils, Paleontological, Archeological	53-61-00	\$250
2.1a1-iv	Minerals	53-61-00	\$100
2.1a-2	Introduce Plants or Animals in Ecosystem	53-49-00	\$300
2.1a-3	Rocks, Tossing-Rolling-etc.	53-30-00	\$50
2.1a-4	Wood, Gathering	53-59-00	\$50
2.1a-5	Closed areas, Walking into, Climbing	53-10-00	\$150
2.1a-6	Archeological Resources-Government	06-20-00	\$250
2.1a-6	Archeological Resources-Private	06-40-00	\$250
2.1a-7	Metal Detectors, Possess-Use	53-00-00	\$75
2.1b	Shortcutting trail/walkway	53-99-00	\$50
2.1c3-I	Gather/Possess Undesign. Nat. Products	53-59-00	\$250
2.1c3-ii	Viol. Size or Quantity Limits Nat. Products	53-59-00	\$250
2.1c3-iii	Removal of Nat. Products	53-59-00	\$250
2.1c3-iv	Gather Nat. Prod. Outside Designated area	53-59-00	\$50
2.1c3-v	Sale/Comm Use of Nat. Products	53-59-00	\$100
Wildlife Protection			
2.2a1	Taking of Wildlife except as permitted	77-20-00	\$300
2.2a2	Feeding, Touching, Teasing, Disturbing	77-00-00	\$100
2.2a3	Possess, Unlawfully taken wildlife or parts	77-30-00	\$250
2.2d	Unauthorized transportation of wildlife	77-99-00	\$75
2.2e	Spot-lighting Supt needs to establish Closure	77-40-00	\$75
2.3d6	Digging for Bait	44-99-00	\$50
Weapons, Traps, Nets			
2.4a1i	Possessing a weapon, trap, net	22-99-00	\$100
2.4a1ii	Carrying a weapon, trap, net	22-99-00	\$100
2.4a1iii	Using a weapon, trap, net	22-99-00	\$100
2.4b	Loaded weapon in MV	22-99-00	\$200
2.4c	Endanger Person/Property w/Weapon	22-99-00	\$200
2.4d	Viol. Permit to Carry or Possess	22-99-00	\$100
2.4f	Compliance w/ State-Federal Regulations	22-99-00	\$100
Research Specimens (by Permit Only)			
2.5a	Taking Without Permit	57-00-00	\$100
2.5h	Violation of Permit Terms-Conditions	57-00-00	\$100

Camping Regulations			
2.10b1	Digging, leveling campsite	37-00-01	\$50
2.10b2	Littering in Campsite	37-00-02	\$50
2.10b3	Camping within 25' of Road or 100' of Water	37-00-04	\$50
2.10b4	Violating Quiet Hours	37-00-05	\$50
2.10b5	Installing permanent camping facilities	37-00-06	\$100
2.10b6	Displaying Wildlife Carcasses	37-00-07	\$50
2.10b7	Connecting to an Undesignated Utility System	37-00-08	\$50
2.10b8	Camping without a Permit	37-00-09	\$50
2.10b9	Violating Superintendent's Compendium Regs	37-00-26	\$50
Picnicking			
2.11	Picnicking	52-00-00	\$50
Audio Disturbances			
2.12a1i	Exceeding 60 decibels	26-30-00	\$50
2.12a1ii	Unreasonable Noise	26-30-00	\$50
2.12a2	Operate Power Saw W/O permit	26-30-00	\$50
2.12a3	Portable Engine- Backcountry	26-30-00	\$50
2.12a4	Public Address System without permit	26-30-00	\$50
2.12b	Violate Terms of Permit	26-30-00	\$50
Fires			
2.13a1	Fire in Undesignated area	42-00-00	\$50
2.13a2	Use stoves or lanterns in violation of restrictions	42-00-00	\$50
2.13a3	Using fire/stoves/lantern threatens property	42-00-00	\$200
2.13a4	Unattended Fire	42-00-00	\$100
2.13a5	Discard Fire/Smoldering items-Hazard Condition	42-00-00	\$100
2.13b	Failure to Extinguish Fires	42-00-00	\$50
2.13c	Fire in Closed fire area (High Fire Danger Area)	42-00-00	\$100
Sanitation and Refuse			
2.14a1	Improper Disposal of Refuse/Garbage	59-00-00	\$100
2.14a2	Unauth. Dumping in Govern. Trash Containers	59-00-00	\$100
2.14a3	Unauth. Dumping in Toilets/Plumbing	59-00-00	\$75
2.14a4	Improper drainage of holding tanks	59-00-00	\$100
2.14a5	Bathing/Washing in Public Water Outlets	59-00-00	\$50
2.14a6	Polluting/Contaminating Park area waters	59-00-00	\$100
2.14a7	Disposing of Fish Remains	59-00-00	\$50
2.14a8	Human Waste- Improper Disposal (Front Country)	59-00-00	\$75
2.14a9	Human Waste- Improper Disposal (Backcountry)	59-00-00	\$75
2.14b	Violating Conditions	59-00-00	\$75
Pets and Animals			
2.15a1	Pets in Closed area	40-00-00	\$50
2.15a2	Failure to Crate, Cage, Leash (6') at all times	40-00-00	\$50
2.15a3	Unattended Pet Tied to object	40-00-00	\$50
2.15a4	Allow Pet to make Unreasonable Noise	40-00-00	\$50
2.15a5	Pet Waste- Failure to Dispose of	40-00-00	\$50
2.15e	Park Resident- Viol. Of Conditional Permission	40-00-00	\$50

Horses and Pack Animals			
2.16B	Using pack animals in restricted area	48-00-00	\$50
2.16c	Park Roads- Horses and Pack Animals on	48-00-00	\$50
2.16e	Animals passing people with excess speed	48-00-00	\$50
2.16f	Obstructing/ startling passing horses	48-00-00	\$50
2.16g	Superintendents Conditions- Violation of	48-00-00	\$50
Aircraft and Air Delivery			
2.17a2	Operate within 500' of Inhabited Areas	35-00-00	\$100
2.17a3	Airborne delivery of a person/ object	35-00-00	\$100
2.17c2	Aircraft/ parts removed properly	35-00-00	\$100
2.17d	FAA Use Requirements- Failure to Operate W/in	35-00-00	\$100
2.17e	Hovercraft Prohibited	35-00-00	\$100
2.17f	Permits- Viol. Terms or Conditions	35-00-00	\$100
Snowmobiles/ Winter Activities			
2.18c	Snowmobile in prohibited area	61-00-00	\$100
2.18d1	Snowmobile making excessive noise	61-00-00	\$50
2.18d2	Snowmobile head and taillight rules	61-00-00	\$50
2.18d3	Snowmobile with inadequate brakes	61-00-00	\$50
2.18d4	Racing/ above 45mph on Snowmobile	61-00-00	\$100
2.18e	Snowmobile operator age violations	61-00-00	\$50
Winter Activities			
2.19a	Winter Activities in Closed Areas	61-09-00	\$50
2.19b	Winter Towing by Motor Vehicle	61-09-00	\$50
2.19c	Winter Activities Area Restrictions	61-09-00	\$50
Roller Skates, Skateboards, Etc.			
2.20	Use in non-designated areas	61-99-00	\$50
Smoking			
2.21a	Smoking in Non-Designated Areas	60-00-00	\$50
Property			
2.22a1	Abandoning Property/ Vehicles	34-00-00	\$50
2.22a2	Leaving Unattended over 24 Hours	34-00-00	\$50
2.22a3	Failure to turn in found property to Superintendent	34-00-00	\$50
Theft (Misappropriation of Property)			
2.30a1	Unlawful possession of another's property	14-99-00	\$300
2.30a2	Obtaining Prop./Services without payment	14-99-00	\$100
2.30a3	Obtaining Prop./Services by fraud/deception	10-00-00	\$300
2.30a4	Shoplifting, payless by deception	14-20-00	\$150
2.30a5	Receiving Stolen Property, Possess	21-99-00	\$300
Trespassing, Tampering, and Vandalism			
2.31a1	Trespassing- Property not open to the Public	33-00-00	\$300
2.31a2	Unlawful Tampering with another's property	63-00-00	\$300
2.31a3	Destroying, Injuring, Defacing, Damaging -	06-01-00	\$200
Interfering with Agency Functions			
2.32a1	Interfering with Official Duty of Ranger	50-00-00	\$200
2.32a2	Failure to Obey a Lawful Order of Ranger	50-00-00	\$100
2.32a3i	Giving False Info to an investigating Officer	41-00-00	\$100
2.32a3ii	Giving False Information on a permit	41-00-00	\$100
2.32a4	False Report to Authorized Person	41-00-00	\$100

Failure to Report Incidents			
2.33b	Failure report injury to persons/property+300	39-00-00	\$100
Disorderly Conduct			
2.34a1	DOC- Fighting, Threatening, Violent Behavior	26-00-00	\$100
2.34a2	Indecent Exposure	26-10-00	\$100
	Abusive Language, Gesture, display	26-20-00	\$100
2.34a3	Unreasonable Noise, Etc.	26-30-00	\$100
2.34a4	Create Hazardous or Offensive Condition	26-99-00	\$100
Alcoholic Beverages / Drugs of Abuse / Controlled Substances			
2.35a2i	Sale/Gift of alcohol to under age person	30-10-00	\$100
2.35a2ii	Possession of alcohol by under age person	30-00-00	\$100
2.35a3iii	Consumption in area closed to alcoholic use	30-20-00	\$50
2.35b1	Delivery of Controlled Substance	07-00-00	\$300
2.35b2	Possession of a Controlled Substance	70-00-00	\$250
2.35c	Public Intox. - Degree that may endanger	28-00-00	\$100
2.35c	Public Intox. (Control. Sub)	07-00-00	\$100
Gambling or Soliciting Gifts-Money-Services			
2.36a	Gambling	11-00-00	\$50
2.37	Non commercial soliciting- panhandling	25-00-00	\$50
Explosives			
2.38a	Unauthorized Use or Possession of Explosives	43-99-00	\$200
2.38b	Unauthorized Use or Possession of Fireworks	43-00-00	\$50
2.38c	Violation of Permit terms - Fireworks	43-00-00	\$100
2.38c	Violation of Permit terms - Explosives	43-99-00	\$100
Special Events			
2.50e	Violation of Terms of Permit	56-10-00	\$100
Public Assemblies or Meetings			
2.51a	Failure to Obtain a Permit	56-00-00	\$100
2.51h	Entrance Obstruction, Impeding Entry/Exit	56-00-00	\$100
2.51j	Violating a public assembly permit	56-00-00	\$100
Sale or Distribution of Printed Material			
2.52a	Failure to Obtain a Permit	58-00-00	\$50
2.52h	Prohibited Activities	58-00-00	\$100
2.61a	Residing on Public Lands w/o a permit	33-99-00	\$300
2.61b	Violating a public lands permit	33-99-00	\$100
Memorialization (Memorials and Markers)			
2.62a	Commemorative Installation of Memorials	51-00-00	\$100
2.62b	Scattering of Human Ashes without Permit	51-00-00	\$50
2.62c	Viol. Of areas Designations and Conditions	51-00-00	\$100
2.62d	Viol. Terms and Conditions of Permit	51-00-00	\$50
Traffic Violations and Vehicle Safety			
4.4c	Accident - Failure to Report / Comply	66-10-00	\$75
4.10a	Off Road Operation (Off Approved Roadways)	65-00-00	\$100
4.10c1	Pneumatic Tires Required, other use prohibited	71-99-00	\$75
4.10c2	Damage to Roadways by Motor Veh. Prohibited	70-99-00	\$100
4.10c3	Lights required	72-00-00	\$75
4.12	Traffic Control Devices	72-99-00	\$50
4.13a	Obstructing Traffic (Stopping/Parking/Blocking)	70-10-00	\$50

Traffic Violations and Vehicle Safety Continued			
4.13b	Traffic Flow (Interference with Normal flow)	70-10-00	\$50
4.14b	Alcoholic Beverage (Open Container-Storage)	30-20-00	\$100
4.15a	Seat Belts Required	71-99-00	\$50
	Child passenger restraint	71-99-00	\$50
4.20	Right of Way (Fail to Yield-Ped., horse, Etc)	70-30-00	\$50
4.21c	SPEED (Excess of Posted Limits)	70-40-00	
	\$5.00 for every mile over the speed limit.		
4.22b1	Unsafe Operation (Without Due Care)	73-00-00	\$100
4.22b2	Excessive Acceleration	73-99-00	\$50
4.22b3	Fail to Control-(Endanger Persons, Prprty, Animals)	73-99-00	\$100
4.22b4i	Passengers being towed behind vehicle	73-99-00	\$75
4.22b4ii	Passengers Riding on Outside of Vehicle	73-99-00	\$75
4.23a1	DUI - Under Influence of Alcohol or Drugs	27-00-00	\$500
4.23a2	OUI - 0.08% BAC or Greater	27-00-00	\$500
4.23c2	Refusal to take DUI Test	27-10-00	MA
4.30a	Bicycles - Must use on Roads, Developed Areas	64-00-00	\$50
4.30c	Motor Vehicle Laws applicable to bikes	64-00-00	\$50
4.30d2	Bike use after dark-night use without Lights	64-00-00	\$25
4.30d3	Bikes used abreast	64-00-00	\$25
4.30d4	Bike Use while consuming Alcoholic Bev./Open	30-20-00	\$100
4.31	Hitch-hiking/Soliciting except where designated	68-00-00	\$50
Commercial & Private Operations			
5.1	Advertisements posted without a permit	38-00-00	\$100
5.3	Engaging in a business operation without a permit	38-20-00	\$100
5.5a	Commercial Photo Film/ TV	38-30-00	\$100
5.5b	Commercial Photo Still	38-30-00	\$100
5.13	Nuisances on Federal Land	38-60-00	\$100

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
ECF PROCEDURES MANUAL

**PUBLIC
ADMINISTRATIVE ORDER**

No. 08-AO-0002-P

Pursuant to the inherent authority of this court and Local Rules 1.1 and 5.2.a, the ECF Procedures Manual proposed by the Local Rules Committee for the Northern and Southern Districts of Iowa is hereby adopted as the ECF Procedures Manual for the Northern District of Iowa, effective January 1, 2008.

IT IS SO ORDERED.

DATED this 1st day of January, 2008.



LINDA R. READE, Chief Judge
United States District Court
Northern District of Iowa



MARK W. BENNETT, Judge
United States District Court
Northern District of Iowa

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF THE
HOLIDAY SCHEDULE FOR
DECEMBER 2007

**PUBLIC
ADMINISTRATIVE ORDER**

No. 07-AO-19-P

The United States District Court for the Northern District of Iowa will be closed on Monday, December 24, and Tuesday, December 25, 2007. All documents due on December 24th or 25th will be considered timely filed on December 26, 2007. Questions about district court filings may be directed to the Clerk of Court, Robert Phelps, at 319-286-2311.

Each District Judge and Magistrate Judge may adopt any schedule he or she desires regarding December 24, 2007 with respect to chambers staff.

The Clerk is directed to transmit copies of this order to the United States Attorney, the United States Marshal Service, the Clerk of the United States Bankruptcy Court, the Chief Probation Officer and the Federal Public Defender.

IT IS SO ORDERED.

DATED this 18th day of December, 2007.


LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE WEARING OF UNIFORMS IN
COURT BY REPRESENTATIVES OF
LAW ENFORCEMENT AGENCIES

**PUBLIC
ADMINISTRATIVE ORDER**

No. 07-AO-18-P

Effectively immediately, AO 1513 is **RESCINDED**. Each judge of this District shall have the discretion to decide whether a law enforcement officer may appear in court in the presence of the jury wearing a law enforcement uniform.

IT IS SO ORDERED.

DATED this 5th day of December, 2007.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
GRAND JURY DISCLOSURES

**PUBLIC
ADMINISTRATIVE ORDER**

No. 07-AO-17-P

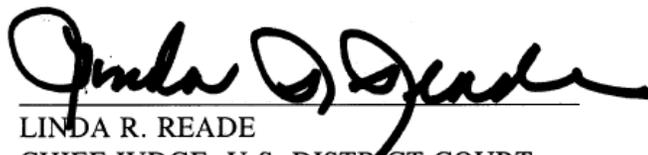
Pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i), the United States Attorney's Office for the Northern District of Iowa is authorized to make disclosure of matters occurring before the grand jury in the following circumstances:

1. to counsel for a possible criminal defendant or a charged criminal defendant as part of pre-indictment plea negotiations and pre-trial discovery;
2. in connection with any pleading filed with the court in a criminal judicial proceeding and when proposed or used as an exhibit in connection with any criminal judicial proceeding; and
3. to the United States Probation Office for use in preparing a Pretrial Services Report, a Presentence Investigation Report, or any other report relating to a criminal judicial proceeding.

This order supersedes AO 1392. No substantive changes are intended.

IT IS SO ORDERED.

DATED this 5th day of December, 2007.


LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE REFERRAL OF BANKRUPTCY
CASES

**PUBLIC
ADMINISTRATIVE ORDER**

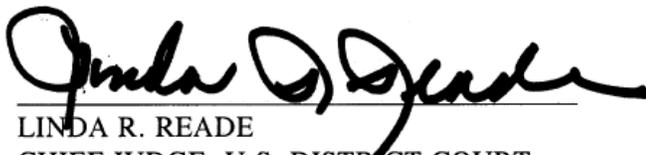
No. 07-AO-16-P

Pursuant to 28 U.S.C. § 157(a), it is **ORDERED** that any and all cases under Title 11, United States Code, and any and all proceedings arising under said Title or arising in or related to a case under said Title are referred to the United States Bankruptcy Court for the Northern District of Iowa.

This order supersedes AO 927. No substantive changes are intended.

IT IS SO ORDERED.

DATED 5th day of December, 2007.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
THE PUBLIC ADMINISTRATIVE
ORDERS OF THE COURT

**PUBLIC
ADMINISTRATIVE ORDER**

No. 07-AO-15-P

The court has conducted a review of the public administrative orders that it has issued over the years. The court has determined that some of these orders are outdated, either because they have been superseded or because they have no current use or purpose. The court, therefore, **ORDERS** that the following public administrative orders have no further force or effect and may be removed from the court's website:

06-AO-0010-P	05-AO-0008-P	04-AO-0006-P	03-AO-0015-P	1530
06-AO-0009-P	05-AO-0006-P	04-AO-0005-P	03-AO-0012-P	1527
06-AO-0008-P	05-AO-0005-P	04-AO-0004-P	03-AO-0011-P	1501
06-AO-0006-P	05-AO-0004-P	04-AO-0002-P	03-AO-0010-P	1497
06-AO-0003-P	05-AO-0003-P	04-AO-0001-P	03-AO-0009-P	1487
	05-AO-0001-P		03-AO-0007-P	1472
			03-AO-0006-P	1452
			03-AO-0005-P	1357
			03-AO-0004-P	1354
			03-AO-0003-P	1353
			03-AO-0002-P	1331
			03-AO-0001-P	1311a
				1213
				1121
				1119
				1105
				1079
				1051

IT IS SO ORDERED.

DATED this 4th day of December, 2007.

A handwritten signature in black ink, appearing to read "Linda R. Reade", written over a horizontal line.

LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA**

IN THE MATTER OF
FELONY GUILTY PLEAS

**PUBLIC
ADMINISTRATIVE ORDER**

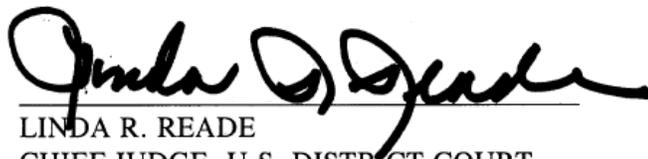
No. 07-AO-14-P

IT IS HEREBY ORDERED that the United States Magistrate Judges of this District have full and continuing authority under 28 U.S.C. § 636(b)(3) to (1) accept guilty pleas in felony cases with the consent of each defendant; (2) make reports and recommendations to the United States District Court Judges of this District as to whether to accept such guilty pleas; and (3) order presentence investigation reports concerning defendants who signify the desire to plead guilty.

This Administrative Order supersedes AO 1357 and 02-AO-0002-P.

IT IS SO ORDERED.

DATED this 3rd day of December, 2007.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

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FILED
NOV 07 2007
Debra S. Katay
UNITED STATES DISTRICT COURT
NORthern DISTRICT OF IOWA

IN THE MATTER OF
APPROVAL OF INCREASED
TRANSCRIPT RATES

**PUBLIC
ADMINISTRATIVE ORDER**

No. 07-AO-0013-P

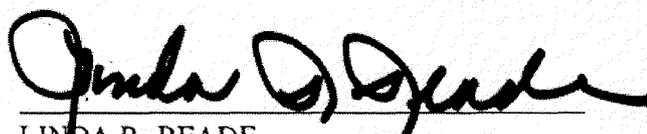
Effective this date the following are the maximum allowable transcript rates as approved by the Judicial Conference at its September 2007 session, and as provided for by memorandum dated October 18, 2007, from the Director of the Administrative Office of the United States Courts. These rates will apply to all transcript orders received on or after the filing date of this order, and will apply to government paid transcripts as well as transcripts sold to private parties.

The additional category for transcript delivery created by the Judicial Conference is also hereby established. This category provides for delivery of transcripts within fourteen (14) calendar days after receipt of an order, filling the gap between the existing categories which provide for delivery within seven (7) calendar days, or within thirty (30) calendar days after receipt of an order.

This order supersedes 03-AO-0007-P filed March 31, 2003.

TRANSCRIPT CATEGORY	ORIGINAL	FIRST COPY TO EACH PARTY	EACH ADD'L COPY TO THE SAME PARTY
ORDINARY TRANSCRIPT (30 day) To be delivered within thirty (30) calendar days after receipt of an order	\$3.65	\$.90	\$.60
14-DAY TRANSCRIPT (14 day) To be delivered within fourteen (14) calendar days after receipt of an order	\$4.25	\$.90	\$.60
EXPEDITED TRANSCRIPT (7 day) To be delivered within seven (7) calendar days after receipt of an order	\$4.85	\$.90	\$.60
DAILY TRANSCRIPT A transcript to be delivered following adjournment and prior to the normal opening hour of the court on the following morning whether or not it actually is a court day	\$6.05	\$1.20	\$.90
HOURLY TRANSCRIPT A transcript of proceedings ordered under unusual circumstances to be delivered within two (2) hours	\$7.25	\$1.20	\$.90
REALTIME TRANSCRIPT A draft unedited transcript produced by a certified realtime reporter as a by-product of realtime to be delivered electronically during proceedings or immediately following adjournment	\$3.05	\$1.20	

Ordered this 7th day of November, 2007.


 LINDA R. READE
 CHIEF JUDGE, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF IOWA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

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Debra S. Latay

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

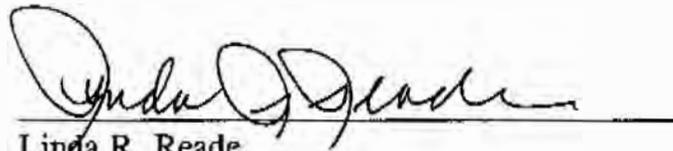
IN THE MATTER)
)
OF APPOINTMENT)
)
OF MATT M. DUMMERMUTH)
)
AS UNITED STATES ATTORNEY)

ORDER OF APPOINTMENT

Admin. No. 07-AO-0012-P

Pursuant to Title 28, United States Code, Section 546(d), Matt M. Dummermuth is appointed as the United States Attorney for the Northern District of Iowa effective October 13, 2007.

DONE AND ORDERED at Cedar Rapids, Iowa, this 10th day of October, 2007.



Linda R. Reade
Chief Judge, U.S. District Court
Northern District of Iowa

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

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Debra S. Katsay
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

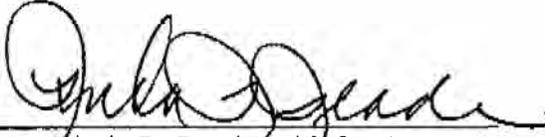
IN RE:)
CLERK OF COURT) **ORDER OF APPOINTMENT**
NORTHERN DISTRICT OF IOWA)
ADMINISTRATIVE ORDER #07-AO-0010-P

Pursuant to 28 U.S.C. Section 751, it is

ORDERED

Robert L. Phelps, II of Cedar Rapids, Iowa, is appointed Clerk of Court for the United States District Court for the Northern District of Iowa effective September 4, 2007.

Done and Ordered this 30TH day of AUGUST, 2007.



Linda R. Reade, Chief Judge
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

2007 APR 19 PM 2:41
CEDAR RAPIDS HDQTRS. OFFICE

BY J. Katay

IN THE MATTER OF
ASSIGNMENT AND DESIGNATION
OF MATTERS TO UNITED STATES
MAGISTRATE JUDGES

Public Administrative Order

No. 07 - AO - 0007 - P

The purpose of this administrative order is to clarify and effectuate the automatic assignment and designation of certain matters to the magistrate judges of this district without further order of the court, either (1) for determination, or (2) for the issuance of a report and a recommended disposition of the matter.

Local Rule 72.1 provides that the magistrate judges in this district are authorized and designated to perform the following duties:

b. Duties Under 28 U.S.C. § 636(a). Magistrate judges are authorized and designated to exercise all of the powers and duties prescribed by 28 U.S.C. § 636(a), including, but not limited to, the following:

1. The power to administer oaths and affirmations;
2. The power to conduct trials and exercise other authority under 18 U.S.C. § 3401;
3. The power to enter sentences for "petty offenses," as defined in 18 U.S.C. § 19; and
4. In cases where the parties have consented to jurisdiction by a magistrate judge, the power to enter sentences for class A misdemeanors, including offenses classified as class A misdemeanors under 18 U.S.C. § 3559(a)(6).

c. Determination of Non-Dispositive Pretrial Matters. Pursuant to 28 U.S.C. § 636(b)(1)(A) and Federal Rule of Civil Procedure 72(a), magistrate judges are authorized and designated to hear and determine all non-dispositive pretrial matters pending before the court to the extent permitted by law, including, but not limited to, the following motions:

1. For more definite statement;
2. To add parties, to intervene, or to file third-party complaints;
3. To amend pleadings or pretrial orders;

4. To consolidate cases or to order separate trials of claims or issues under Federal Rule of Civil Procedure 42;
5. To extend the time for compliance with the Local Rules, the Federal Rules of Civil or Criminal Procedure, and the orders of the court;
6. Relating to discovery in both civil and criminal cases, including bills of particulars under Federal Rule of Criminal Procedure 7(f);
7. To allow withdrawal or substitution of counsel;
8. To correct clerical errors under Federal Rule of Civil Procedure 60(a) and Federal Rule of Criminal Procedure 36;
9. To voluntarily dismiss a civil action;
10. To set aside an entry of default under Federal Rule of Civil Procedure 55(c);
11. To enter ex parte orders for release of tax information under 26 U.S.C. § 6103;
12. To enter orders for mental examinations under 18 U.S.C. §§ 4241 and 4242; and
13. To remand a case to the Commissioner of Social Security pursuant to sentence six of 42 U.S.C. § 405(g).

The court has determined that the magistrate judges of this district should be authorized and designated to perform duties in addition to those specifically identified in the Local Rules.

Accordingly, the following matters are automatically assigned and designated to the magistrate judges:

IN CRIMINAL CASES:

1. motions to appear, including motions to appear pro hac vice
2. motions for the appointment of counsel
3. motions for the appointment of experts
4. motions for advance approval of expert fees
5. motions for a new attorney
6. motions to substitute attorneys
7. motions to withdraw as attorney
8. motions for bills of particulars

IN CRIMINAL CASES (continued)

9. motions for the production of Brady materials
10. motions to compel
11. motions to consolidate cases
12. motions to continue (except for motions to continue sentencings)
13. motions to take depositions
14. motions to detain
15. motions for detention hearings
16. motions for disclosure
17. motions to dispose of property or exhibits (post-trial)
18. motions for discovery
19. motions to disqualify counsel
20. motions to exclude witnesses or exhibits because of nondisclosure
21. motions for extensions of time
22. motions to file motions, briefs, responses, or replies out of time.
23. motions to file objections to R&R's and PSIR's out of time
24. motions to file overlength briefs
25. motions for writs of habeas corpus ad prosequendum
26. motions for writs of habeas corpus ad testificandum
27. motions for handwriting exemplars
28. motions for the issuance of warrants in rem
29. motions for leave to file a document
30. motions by an inmate for permission to marry
31. motions for medical examinations
32. motions for medical treatment
33. motions to modify conditions of release
34. motions for preliminary hearings

IN CRIMINAL CASES (continued)

35. motions to schedule change of plea hearings
36. motions to produce
37. motions for protective orders
38. motions for psychiatric or psychological examinations
39. motions for psychiatric or psychological treatment
40. motions to quash
41. motions to release funds
42. motions for the return of property or exhibits (pretrial)
43. motions to revoke pretrial release
44. motions to seal cases
45. motions to seal documents
46. motions to file documents under seal
47. motions for a separate trial on counts
48. motions to sever defendants
49. motions to strike
50. motions for the issuance of subpoenas
51. motions for transcripts
52. motions to unseal cases
53. motions to unseal documents
54. motions for the issuance of warrants

IN CIVIL CASES:

1. motions to appear, including motions to appear pro hac vice
2. motions for the appointment of counsel
3. motions for a new attorney
4. motions to substitute attorneys

IN CIVIL CASES (continued)

5. motions to withdraw as attorney
6. motions to compel
7. motions to consolidate cases
8. motions to continue (except for motions to continue trials)
9. motions for a more a definite statement
10. motions for entry of default
11. motions for discovery
12. motions to dispose of property (post-trial)
13. motions to disqualify counsel
14. motions to exclude witnesses or exhibits because of nondisclosure
15. motions for extensions of time
16. motions for leave to file a document
17. motions to file motions, briefs, responses, replies, or pleadings out of time
18. motions to file objections to R&R's out of time
19. motions for the forfeiture of property
20. motions for writs of habeas corpus ad prosequendum
21. motions for writs of habeas corpus ad testificandum
22. motions for the issuance of warrants in rem
23. motions to intervene
24. motions for joinder
25. motions for judgment debtor examinations
26. motions to file overlength briefs
27. motions to produce
28. motions for protective orders
29. motions to proceed pro se
30. motions for service by publication

IN CIVIL CASES (continued)

31. motions to quash
32. motions for the return of property or exhibits (pretrial)
33. motions to remand under sentence 6
34. motions to modify scheduling order deadlines
35. motions to set aside default entry
36. motions to seal cases
37. motions to seal documents
38. motions to file documents under seal
39. motions for settlement conferences
40. motions to sever
41. motions to strike
42. motions to substitute parties
43. motions for the issuance of subpoenas
44. motions for transcripts
45. motions to unseal cases
46. motions to unseal documents

IN CRIMINAL CASES. (1) motions to dismiss, and (2) motions to suppress are automatically assigned and designated to the magistrate judges for the issuance of a report and recommendation.

In a specific case, a district court judge also may assign and designate to a magistrate judge any other matter within the jurisdiction of the magistrate judge by filing an order in

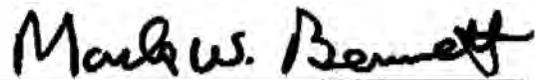
the case assigning and designating the matter to the magistrate judge. In a separately filed administrative order, a district court judge also may automatically assign and designate to a magistrate judge any category of matters within the jurisdiction of the magistrate judge from the district court judge's docket to the magistrate judge.

IT IS SO ORDERED.

DATED this 12th day of April, 2007.



LINDA READE, Chief Judge
United States District Court
Northern District of Iowa



MARK W. BENNETT, Judge
United States District Court
Northern District of Iowa

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

RECEIVED & FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
2007 APR 10 PM 3:55

CEDAR RAPIDS HDQTRS. OFFICE

IN RE REFILLING
MASTER JURY
WHEEL

)
) ADMINISTRATIVE ORDER
)

07-AO-0006-P

It having been brought to the courts attention that under the Amended Plan for the Random Selection of Grand and Petit Jurors for the United States District Court for the Northern District of Iowa (Plan) the Master Jury Wheels are due to be refilled.

NOW THEREFORE, IT IS ORDERED

1. That the master jury wheels for the Cedar Rapids-Eastern Division, Central Division and Western Division of this district shall be refilled by not later than July 1, 2007.
2. Pursuant to Sections C and T of the Plan, Sara Throener or her designee from the Voters Registration Department of the State of Iowa, are authorized to carry out by automated methods the instructions and orders of this court, relating to the selection and recording of prospective juror names to be extracted from the "supplemented lists" as defined in Section D of the Plan and the mailing of questionnaires to those selected.
3. In the Cedar Rapids-Eastern Division, the selection shall commence with the selection and recording of the 44th name on said list(s), or wheel(s), and then to select every 79th name thereafter, continuing in this manner through the entire designated list(s) or wheel(s).

In the Central Division, the selection shall commence with the selection and recording of the 33rd name on said list(s), or wheel(s), and then to select every 82nd name thereafter, continuing in this manner through the entire designated list(s) or wheel(s).

07-AO-0006-P

In the Western Division, the selection shall commence with the selection and recording of the 35th name on said list(s), or wheel(s), and then to select every 44th name thereafter, continuing in this manner through the entire designated list(s) or wheel(s).

4. The names of the persons selected and recorded are to be treated as confidential and are not to be furnished to any other person or organization nor used for any purpose other than for use in refilling this court's master jury wheel.

5. The Director of Voter Registration for the State of Iowa, Hoover Building Des Moines, Iowa or her designee, after drawing the names as set forth above, shall promptly provide a list of names in the form previously agreed to with the Clerk of this court.

6. The Clerk shall then cause the questionnaires to be mailed to all names on the list and is authorized to subcontract the mailing provided appropriate measures are made to protect the confidentiality of the names listed.

7. Upon filling of the new Master Jury Wheels, this will officially replace the old Master Jury Wheels. Upon refilling the new Qualified Jury Wheels, the old wheels will be officially terminated. prior to refilling the Master Jury Wheel, and the Clerk shall draw sufficient names at random from the existing Master Jury Wheels to satisfy the need for jurors in this district while the Qualified Wheels are being refilled.

April 10, 2007



Linda R. Reade, Chief Judge
United States District Court

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

2007 MAR 20 PM 12:45

CEDAR RAPIDS HQQTRS. OFFICE

IN THE MATTER OF)
APPOINTMENT OF)
FULL-TIME UNITED STATES)
MAGISTRATE JUDGE AT)
CEDAR RAPIDS, IOWA)

ADMINISTRATIVE
ORDER 07-AO-0005-P

BY Debra S. Katay

In accordance with the authority conferred by 28 U.S.C. Section 631, et seq., and the further authority granted and action taken by the Judicial Conference of the United States,

IT IS HEREBY ORDERED that Jon S. Scoles be and is hereby appointed as full-time United States Magistrate Judge for the Northern District of Iowa with his official duty station at Cedar Rapids, Iowa.

Magistrate Judge Jon S. Scoles shall enter upon the performance of his duties at 08:00 A.M. on the twentieth day of March, 2007, but prior to the commencement of such duties, he shall take the oath or affirmation prescribed by 28 U.S.C. Sections 453 and 631(g).

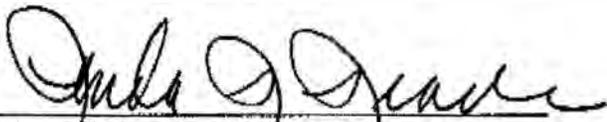
Magistrate Judge Jon S. Scoles shall hold and discharge the duties of his office for a term of eight (8) years from the date of his appointment subject to the provisions of 28 U.S.C. Section 631(i), unless sooner removed.

Magistrate Judge Jon S. Scoles shall have the powers, authority and jurisdiction to perform all duties within the Northern District of Iowa which are conferred and imposed by law upon United States Magistrate Judges.

IT IS FURTHER ORDERED that Magistrate Judge Jon S. Scoles is hereby specifically designated to try persons accused of and sentence persons convicted of minor offenses as defined by 18 U.S.C. Section 3401.

The Clerk will cause certified copies of this Order to be spread upon the records of all divisions of this Court and shall likewise forward a certified copy of this Order to the Director of the Administrative Office of the United States Courts, as required by 28 U.S.C. Section 631(h).

DATED: March 20, 2007


Linda R. Reade, Chief Judge
UNITED STATES DISTRICT COURT

Certified copy of this Order mailed on 3/22/2007 to:

By: 
Deputy Clerk

Mr. James C. Duff, Director, Administrative Office of the United States, Washington, DC
20544

Judge Mark W. Bennett, PO Box 838, Sioux City, IA 51101-0838

Senior Judge Donald E. O'Brien, Northern District of Iowa, P.O. Box 267, Sioux City, IA
51102-0267

Magistrate Judge Paul A. Zoss, Northern District of Iowa, 320 - 6th Street, Room 104, Sioux City,
IA 51101

Clerk's Divisional Office, Northern District of Iowa, 320 - 6th street, Room 301, Sioux City, IA
51101

Hand delivered on 3/22/2007 to:

By: 
Deputy Clerk

Judge Linda R. Reade, Cedar Rapids, Iowa

Senior Judge Edward J. McManus, Cedar Rapids, Iowa

Jon S. Scoles, newly appointed Magistrate Judge, Cedar Rapids, Iowa

Pridgen J. Watkins, Clerk, Cedar Rapids, Iowa

Robert L. Phelps, II, Chief Deputy, Cedar Rapids, Iowa

U.S. Attorney's Office - Cedar Rapids and Sioux City

U.S. Probation Office - Cedar Rapids and Sioux City

Federal Public Defender's Office - Cedar Rapids

Federal Public Defender's Office - Sioux City

U.S. Marshal's Office - Cedar Rapids and Sioux City

RECEIVED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

CEDAR RAPIDS HDQTRS. OFFICE

RE: CHIEF MAGISTRATE JUDGE

ADMINISTRATIVE ORDER

07-AO-0004P

BY _____

The Honorable Paul A. Zoss is hereby designated Chief Magistrate Judge for the United States District Court for the Northern District of Iowa.

Ordered this 19th day of March, 2007.



Linda R. Reade, Chief Judge
UNITED STATES DISTRICT COURT

07-AO-0004P

RECEIVED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
2007 MAR 19 PM 8:11
CEDAR RAPIDS HQTRS. OFFICE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

RE: DESIGNATION OF
CHIEF MAGISTRATE JUDGE

ADMINISTRATIVE ORDER 07-AO-0003P
BY _____

The chief magistrate judge of the district shall be the magistrate judge in regular active service who is senior in commission of those magistrate judges who—

- (A) have served for one year or more as a magistrate judge; and
- (B) have not served previously as chief magistrate judge.

The chief magistrate judge of the district shall serve for a term of six years and shall serve after expiration of such term until another magistrate judge is eligible to serve as chief magistrate judge of the district.

Ordered this 19th day of March 2007.


Linda R. Reade, Chief Judge
UNITED STATES DISTRICT COURT

07-AO-0003P

RECEIVED & FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

2007 JAN 31 AM 11:45

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

BY

CLERK'S OFFICE
J. Ratay

IN RE MANDATORY CONFLICT
SCREENING FOR FINANCIAL
CONFLICTS OF INTEREST FOR
JUDGES

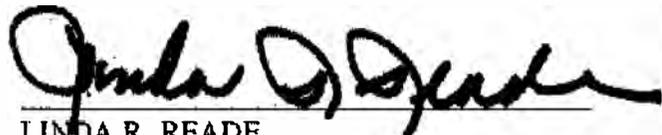
No. 07-AO-0002-P

ADMINISTRATIVE ORDER

On January 18, 2007, the Judicial Council of the Eighth Circuit approved the attached mandatory conflict screening model plan which will become effective February 1, 2007. The plan is mandatory and shall be fully implemented by this court and all judges who are assigned cases in this district.

IT IS SO ORDERED.

DATED this 31st day of January, 2007.



LINDA R. READE
CHIEF JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

United States Courts
Judicial Council of the Eighth Circuit
Thomas F. Eagleton United States Courthouse
111 South 10th Street - Suite 26.325
St. Louis, Missouri 63102-1116

Millie B. Adams
Circuit Executive

Voice (314) 244-2600
Fax (314) 244-2605
www.ca8.uscourts.gov

January 30, 2007

MEMORANDUM

TO: Judicial Council Members
FROM: Millie Adams *M. A.*
RE: Mandatory Conflict Screening Plan

Attached is the Eighth Circuit Mandatory Conflict Screening Plan adopted by the Judicial Council on January 18, 2007 that reflects the changes suggested by Judge Wilson and other minor adjustments by Chief Judge Loken. Chief Judge Loken has authorized me to submit this Plan to the U.S. Judicial Conference in order to meet the January 31, 2007 deadline. If additional revisions are desired, Council Members can request it as an agenda item at a later date.

The Plan will become effective February 1, 2007 and will be posted on our website for all courts in the Eighth Circuit.

If you have any questions please feel free to contact me or my assistant Frenchette Prince.
Thank you.

MBA
Enc.



JAMES C. DUFF
Director

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

WILLIAM R. BURCHILL, JR.
Associate Director
and General Counsel

JILL C. SAYENGA
Deputy Director

WASHINGTON, D.C. 20544

ROBERT K. LOESCHE
Deputy General Counsel

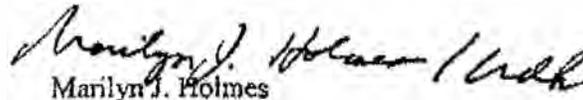
January 11, 2007

MEMORANDUM TO ALL: Circuit Executives
Clerk, Court of Appeals for the Federal Circuit
Clerk, Court of International Trade
Clerk, Court of Federal Claims

SUBJECT: Report on Mandatory Conflict Screening Implementation (INFORMATION)

As you know, the recently adopted Judicial Conference policy on mandatory conflict screening requires circuit councils (and courts not subject to circuit council authority) to report by January 31, 2007, with a preliminary plan for implementation of conflict screening in the circuit (or court). The Judicial Conference Executive Committee has asked the Committee on Codes of Conduct to review these reports and determine whether any further actions should be taken. Consequently, this is to request that the plans be submitted to the Administrative Office's Office of the General Counsel, which staffs the Committee on Codes of Conduct, and not to the Office of Judicial Conference Executive Secretariat. Please note as well that the January 31, 2007, submission date relates to *preliminary* plans. The policy does not require circuit councils (and courts) to have final plans in place by that date.

Please call me or Bob Deyling at 202-502-1100 if you have any questions.


Marilyn J. Holmes

cc: Honorable Gordon J. Quist
Laura Minor
Peggy Irving

JUDICIAL COUNCIL OF THE EIGHTH CIRCUIT

MANDATORY CONFLICTS SCREENING PLAN

Preface: The Judicial Conference of the United States has adopted a mandatory conflict screening policy requiring courts and judges to implement automated screening. The Judicial Conference policy is to be administered and directed by the circuit councils.

Authority: The Judicial Council of the Eighth Circuit adopts this Plan under the authority set forth in 28 U.S.C. § 332(d)(1) and in accordance with the mandatory financial conflict screening policy adopted on September 19, 2006, by the Judicial Conference.

§ 1. Scope. This Plan applies to the court of appeals, district courts, bankruptcy courts, and bankruptcy appellate panel within the Eighth Circuit, and to each judge of those courts in regular active service, retired under 28 U.S.C. §§ 371(b) or 372(a) and performing duties pursuant to a designation under 28 U.S.C. §§ 291 to 294, or recalled to judicial service. This Plan does not apply to judges retired under 28 U.S.C. §§ 371(b) or 372(a) but not performing duties, or to retired judges eligible for recall but not serving on recall.

§ 2. Definitions. For purposes of this Plan:

(a) "Conflict of interest" means an interest that disqualifies a judge as provided in Canon 3C(1) of the Code of Conduct for United States Judges. "Financial conflict" or "financial conflict of interest" means a financial interest that disqualifies a judge as provided in Canon 3C(1)(c) of the Code of Conduct for United States Judges. "Financial interest" has the meaning set forth in Canon 3C(3)(c) of the Code of Conduct for United States Judges. See also 28 U.S.C. § 455.

(b) "Judge" refers to all judicial officers subject to the Code of Conduct for United States Judges.

§ 3. Court Obligations. Each court in the Eighth Circuit must implement automated screening to identify possible financial conflicts of interest for each judge appointed, designated and assigned, transferred, temporarily assigned, or recalled to serve the court. Courts may use either the screening component of the Case Management/Electronic Case Files (CM/ECF) system or other automated screening approved by the Judicial Council under § 6 of this Plan. In implementing the screening, the clerk's office must:

(a) ensure that the following information is entered into the database used for automated screening: the parties, attorneys, law firms, and corporate parents disclosed by the parties;

(b) at the request of a judge, enter the judge's conflicts list into the database used for automated screening;

(c) take reasonable steps to ensure that attorneys (or parties who are not represented by counsel) provide information needed for conflict screening, including corporate parent statements as required by Fed. R. App. P. 26.1, Fed. R. Bankr. P. 1007(a)(1) and 7007.1, Fed. R. Civ. P. 7.1, and Fed. R. Crim. P. 12.4;

(d) screen cases for conflicts on a regular schedule using automated screening, including new matters when they are assigned (or to be assigned) to a judge or panel, and all pending matters periodically or after each new entry of relevant information;

(e) notify the judge (or designee) when a possible conflict is identified and reassign the case if an investigation reveals a conflict that cannot otherwise be avoided;

(f) remind judges on a regular basis to review and update their conflicts lists and to update the designee who will receive notice of a possible conflict, and notify newly-appointed judges and visiting judges of their obligations under this Plan; and

(g) provide information, training, and assistance to judges and staff to facilitate their participation in automated screening.

§ 4. Obligations of Judges. Each judge has the ultimate responsibility for identifying and avoiding conflicts of interest and should ensure that assigned matters are reviewed for conflicts before action is taken in the matter. Judges are encouraged to use the screening system implemented by the court to which the judge is appointed to identify financial and other conflicts of interest. Judges should:

(a) be continually aware of their personal and fiduciary financial interests, and make a reasonable effort to know about the financial interests of a spouse and minor children residing in the household, as required by Canon 3C(2) of the Code of Conduct for United States Judges; see also 28 U.S.C. § 455(c);

(b) develop a "conflicts list" identifying financial conflicts using the form developed by the clerk of court for automated screening, if any;

(c) update the conflicts list as financial interests change; and

(d) determine promptly whether a conflict exists when notice is provided of a possible conflict and arrange for appropriate action to resolve the conflict (i.e., nonassignment, recusal, divestiture of the interest).

§ 5. Exceptions.

(a) Upon written application, the Judicial Council may except a court from § 3 of this Plan, and should except the judges of that court from § 4 of this Plan, where automated screening through CM/ECF or any other automated screening system is not available.

(b) Upon written application, the Judicial Council may except a judge from § 4 of this Plan where the circumstances indicate that the judge's participation is unnecessary or otherwise is not feasible, including in the following circumstances:

(1) the judge has no case currently assigned and is not receiving new assignments (e.g., due to serious illness); and

(2) the judge files a written certification stating that he or she knows of no financial interest attributable to the judge requiring disqualification as a financial conflict of interest and does not expect to acquire such an interest in the foreseeable future.

(c) In granting an exception, the Judicial Council must specify its duration; an exception under § 5(b)(2) shall not exceed one year but may be renewed for good cause.

§ 6. Adoption of Alternative Screening. A court may notify the Judicial Council in writing that it has adopted an alternative automated screening system other than CM/ECF but should acknowledge that the alternative system may not receive automation support from the Administrative Office. The request shall contain a detailed description of the system. Any alternative system must have the ability to:

- (a) create and store electronically a judge's conflicts list;
- (b) compare entries on a judge's conflicts list to parties, attorneys, law firms, and corporate parents in the court's docket;
- (c) allow for screening on a regularly scheduled basis and on an ad hoc basis; and
- (d) provide notice to a judge (or designee) when a possible conflict is identified.

§ 7. Reporting Obligations.

- (a) Each chief judge must make such reports as are requested by the Judicial Council.
- (b) The Circuit Executive is directed to submit this Mandatory Conflicts Screening Plan to the Judicial Conference by January 31, 2007. The Judicial Council will submit such additional reports as are requested by the Judicial Conference.

§ 8. Confidentiality of Conflicts Lists. Nothing in this Plan shall be construed as requiring a court or judge to disclose the interests listed on a conflicts list to anyone except to the limited extent necessary in the court's implementation of its automated screening.

§ 9. Enforcement. Courts and judges subject to this Plan must comply with its requirements. A judge who violates this Plan may be subject to discipline.

§ 10. Effective Date. This Plan takes effect on February 1, 2007.

Adopted by the Judicial Council of the Eighth Circuit on January 18, 2007.

RECEIVED & FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

2006 DEC 12 AM 9:10

CEDAR RAPIDS HDQTRS. OFFICE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

In The Matter of Authority to
Refund Erroneous or Duplicate
On Line Filing Fee Payments.

)
)
)

No. 06-AO- 0011-P

ADMINISTRATIVE ORDER

BY D. Latay

In March 2005, the Judicial Conference approved the attached guidance for the refund of fees that are paid electronically. In effect since 1949, the Conference's current policy regarding refunding filing fees has been broadly interpreted to generally prohibit refunds of fees due upon filing, even if a party filed the case in error, or the court dismissed the case or proceeding.

With the advent of electronic filing, difficulties with the application of the refund policy have greatly increased as filing parties can inadvertently make erroneous or duplicate payments on line. The Judicial Conference has endorsed the attached guidance which addresses only limited refund authority by the courts when user errors in electronic payments are made and is intended to assist the courts in the exercise of their discretion in this area. This guidance does not amend the general refund policy.

The Clerk of Court is hereby granted the authority to refund a fee paid by an ECF user when the ECF user has used ECF to pay a fee by credit card, and the fee was paid erroneously in that the payment constituted:

- a. a duplicate fee payment related to the submission of a single document (including a single document erroneously submitted two or more times); or
- b. a fee payment when no fee was due (e.g., when no document was attached to a submission, or the submission did not require payment of a fee).

To obtain a refund, the ECF user must make a written request to the clerk. All such refunds paid by the clerk to the ECF user must be processed through the court's electronic credit card system.

In addition, if an ECF user makes an erroneous filing for which a fee would normally be due, but the fee has not yet been collected, the court delegates to the clerk the authority to correct the erroneous filing administratively and not collect the fee.

In the event a particular attorney or law firm continues to make repeated mistakes when submitting fees and requesting refunds, the Clerk of Court may request that the court issue an order to show cause why further requests for refunds should be considered.

IT IS SO ORDERED.

DATED this 12th day of December, 2006.

Mark W. Bennett
MARK W. BENNETT
CHIEF UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF IOWA

The Judicial Conference has a long-standing policy prohibiting the refund of fees. In a paper environment, this policy has been fairly simple to administer, but questions have greatly increased since the implementation of Case Management/Electronic Case Files (CM/ECF), which encompasses the ability to collect filing fees electronically via credit card. This guidance seeks to assist courts in determining when to exercise their discretion in addressing fees paid electronically.

- Judicial Conference policy generally prohibits the refund of fees; this guidance addresses only limited refund authority by the courts when errors in electronic payments are made.
- A court's procedures for addressing fee refunds in CM/ECF should be developed by the judges of the court in conjunction with their clerk.
- The authority to approve a refund is a judicial determination. This determination may be delegated to the clerk as long as the court's procedures clearly address the type of refund that a clerk can approve.
- Requests for refunds should be made by either motion or application, and procedures governing refunds may be set forth by local rule or standing order.
- If the court discovers an erroneous filing for which a fee has not yet been collected, the court may correct the erroneous filing administratively and not collect the fee.
- Refunds should be processed through the electronic credit card system; courts should not issue refunds through checks.
- In the event that a particular attorney or law firm continues to make repeated mistakes when submitting fees and requesting refunds, the court may consider remedial action, such as issuing an order to show cause why further requests for refunds should be considered.

MAY 01 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

J. Katay
DEPUTY

IN RE THE APPOINTMENT OF
WILLIAM L. EDMONDS AS CHIEF
BANKRUPTCY JUDGE FOR THE
NORTHERN DISTRICT OF IOWA,

Admin. Order # 06-AO-0005-P

WHEREAS 28 U.S.C. § 154(b) requires the appointment of a Chief Judge of the Bankruptcy court to ensure that the rules of the bankruptcy court and of the district court are observed and that the business of the bankruptcy court is handled effectively and expeditiously; and

WHEREAS the Honorable William L. Edmonds has consented to serve the Bankruptcy Court for the Northern District of Iowa in the capacity of Chief Judge;

IT IS THEREFORE ORDERED that effective August 18, 2006, William L. Edmonds is appointed Chief Bankruptcy Judge in the Northern District of Iowa. Judge Edmonds will succeed Chief Judge Paul J. Kilburg with the expiration of his seven-year term on August 17, 2006.

DATED this 1st day of May, 2006.

Mark W. Bennett

MARK W. BENNETT
CHIEF JUDGE, U. S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

FILED
CEDAR RAPIDS DISTRICTS OFFICE
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT *DAN 03 2006*
FOR THE NORTHERN DISTRICT OF IOWA

By: *D. Rataj*
Deputy

IN RE:

COPIES OF SEALED INDICTMENTS

Public Administrative Order

No. 06-AO-0004-P

Effective January 1, 2006, this Administrative Order supersedes Administrative Order 03 AO 0002.

IT IS HEREBY ORDERED a lawyer retained to represent a defendant in a criminal case, a lawyer appointed under the CJA to represent a defendant in a criminal case, and a lawyer employed by the Federal Defender's office who is planning to represent a defendant at an initial appearance in a criminal case, is entitled to receive a copy of the indictment in the case from the Clerk of Court upon the issuance of an order scheduling an initial appearance for the lawyer's client. Lawyers receiving a copy of an indictment pursuant to this order are directed not to disclose to anyone that the indictment has been returned or the names of any of the defendants in the indictment until no earlier than two hours before the time scheduled for the initial appearance.

The Clerk of Court is directed to place a copy of this order in the Public Administrative Orders binder.

DONE AND ORDERED this 1st day of January, 2006.

Mark W. Bennett
MARK W. BENNETT, Chief Judge
United States District Court
Northern District of Iowa

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

FILED
CEDAR RAPIDS HQQTRS OFFICE
NORTHERN DISTRICT OF IOWA

JAN 03 2006

IN THE MATTER OF
ECF PROCEDURES MANUAL

By: J. Ratay
Public Administrative Order Deputy

No. 06 - A● - 0002-P

Pursuant to the inherent authority of this court and Local Rules 1.1.1 and 5.3.a, the ECF Procedures Manual proposed by the Local Rules Committee for the Northern and Southern Districts of Iowa is hereby adopted as the ECF Procedures Manual for the Northern District of Iowa, effective January 1, 2006.

IT IS SO ORDERED.

DATED this 1st day of January, 2006.

Mark W. Bennett

MARK W. BENNETT, Chief Judge
United States District Court
Southern District of Iowa

Linda R. Reade

LINDA R. READE, Judge
United States District Court
Northern District of Iowa

RECEIVED & FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
DIVISION

2006 DEC 23 AM 11:39
CEDAR RAPIDS HQTRS. OFFICE

BY

J. Ratay

IN RE:

COURTHOUSE SMOKING POLICY

No. 05-AO-000 9-P

ADMINISTRATIVE ORDER

Effective March 1, 2006, this Administrative Order supersedes AO 1452.

On August 9, 1997, President Clinton issued Executive Order 13058, which prohibits the smoking of tobacco products in the interior space of buildings under the control of the federal government, and in certain outdoor spaces surrounding such buildings. Although the Executive Order does not apply to the judicial branch of the federal government, the Judges in the Northern District of Iowa are in agreement with the stated purpose of the order, which is "to establish a smoke-free environment for [Judicial] employees and members of the public visiting or using [Federal courthouses]."

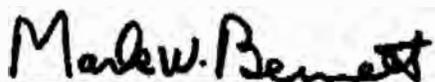
THEREFORE, IT IS HEREBY ORDERED, effective March 1, 2006, that the smoking of tobacco products is prohibited in all interior space of courthouses in the Northern District of Iowa, and in all outdoor areas adjacent to such courthouses. This prohibition covers all corridors, restrooms, offices, jury rooms, courtrooms, canteens, witness rooms, conference rooms, exits, entryways, docks, and parking lots, in and adjacent to the courthouses in the Northern District of Iowa.

A basement room within the federal courthouse in Sioux City has been designated as a smoking area for use exclusively by jurors while they are performing jury service. This room is not available for use by anyone else, including court employees.

Court employees are required to observe the general prohibition against smoking in and around the districts' courthouses. Furthermore, they must limit smoking to scheduled mid-day lunch breaks. Any smoking during a lunch break must be off the property limits of the districts' courthouses and away from the areas immediately surrounding the districts' courthouses, including exits, entryways, docks, parking lots, and sidewalks.

Court units are encouraged to make public health information on smoking cessation available to employees who smoke.

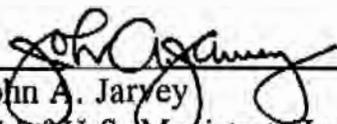
DONE AND ORDERED this 19th day of December, 2005.



Mark W. Bennett
Chief U.S. District Judge
UNITED STATES DISTRICT COURT



Linda R. Reade
U.S. District Judge
UNITED STATES DISTRICT COURT



John A. Jarvey
Chief U.S. Magistrate Judge
UNITED STATES DISTRICT COURT



Paul A. Zoss
U.S. Magistrate Judge
UNITED STATES DISTRICT COURT

AUG 30 2005

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

By: D. Ratay
DEPUTY

IN RE

No. 05-AO-0007 -P

POLICY GOVERNING USE
OF PUBLIC SPACES

ADMINISTRATIVE ORDER

United States Courthouses are public buildings owned and operated by the General Services Administration and governed by policies of the U.S. Courts. In the Northern District of Iowa, the principal tenants of these buildings are the United States District Court, the United States Bankruptcy Court for the Northern District of Iowa, and their allied agencies. The buildings housing these Courts are open to the public during regular business hours Monday through Friday, excluding federal holidays. Access to designated non-public areas of the building is restricted to Judicial Officers, employees and other authorized persons.

1. Purpose and Scope: Use of the spaces in the United States Courthouse, by tenants and the public, may not disrupt the operation of the building, interfere with functioning of the Courts or otherwise obstruct the performance of judicial business. This policy shall govern the use of public spaces in the courthouse by building tenants and other persons or groups, in a manner consistent with law, to insure that activities are compatible with the primary function of the Courts.

2. Authority to Approve Requests: Use of the public spaces in United States Courthouses is supervised by a court unit executive committee consisting of the Clerk of Court for the United States District Court and the Chief Probation Officer for the Northern District of Iowa. Recommendations from the court unit committee regarding requests to use public space will be forwarded for approval or disapproval by the resident District Judge, Chief District Judge, or resident Senior District Judge, as appropriate.

3. Criteria for Approval: The court unit executive committee shall evaluate each request for use of the public space based upon such factors as the expected size of the group, the date, time and duration of the requested use; the extent to which the requested use is likely to create a need for additional security measures; whether the requested use is sponsored by an authorized representative of a building tenant; and whether the event plans include catered food and beverages being brought into the courthouse. The committee may in its discretion consider any additional factors deemed relevant to the preservation of decorum, security and safety for all persons having official business in the United States Courthouse. Preference will be given to requests that encourage public use of the accessible areas of the courthouse for cultural and educational activities as defined in the Public Buildings Cooperative Use Act of 1976 (40 U.S.C. § 612a).

4. Prohibited Uses: Prohibited uses of the public spaces include, but are not limited to, the following:

- a. Wedding receptions, birthday parties and other events of a personal nature;
- b. Political events; events of a religious nature;
- c. Commercial activities by an individual, organization or business enterprise designed to promote, sell or advertise the sale of products or services for a profit (excluding spaces leased to tenants for those purposes);
- d. Any event or activity sponsored or promoted by a group or individual who practices or professes discrimination based upon race, color, creed, sex, age, national origin or condition of physical disability.

5. Procedures: Requests for use of public spaces shall be submitted in a detailed letter to the Clerk of Court at least four weeks prior to the proposed date of an event. Incomplete letters or letters lacking required information will not be considered. The requesting party will be notified of the Court's decision not less than two weeks prior to the proposed date of the event. In the discretion of the Court, special conditions and restrictions may be imposed for an approved event, such as prepayment of costs for extra

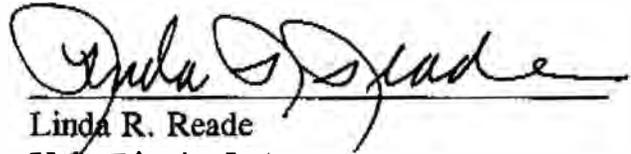
utilities, cleaning and security attributable to the event. The decision of the Court in these matters will be final.

6. Cancellation of Approval: The Court will instruct the unit executive committee as needed regarding cancellation of planned events in the public space due to a competing need for that space by a building tenant, building closure due to weather, other unanticipated circumstances or in the event of a security emergency. No compensation or damages shall be paid to any person or group whose approval to use public space is canceled.

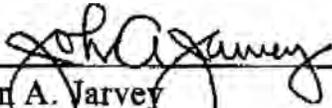
DONE AND ORDERED this 30th day of August, 2005.



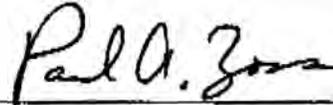
Mark W. Bennett
Chief U.S. District Judge
UNITED STATES DISTRICT COURT



Linda R. Reade
U.S. District Judge
UNITED STATES DISTRICT COURT



John A. Jarvey
Chief U.S. Magistrate Judge
UNITED STATES DISTRICT COURT



Paul A. Zoss
U.S. Magistrate Judge
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. DISTRICT COURT
CEDAR RAPIDS DISTRICT OFFICE
NORTHERN DISTRICT OF IOWA

FEB 01 2005 5

By: J. Katay
DEPUTY

IN THE MATTER OF SENTENCINGS
UNDER *UNITED STATES v.*
BOOKER, 2005 WL 50108 (Jan. 12,
2005)

ADMINISTRATIVE ORDER NO.

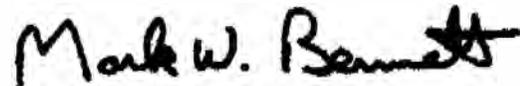
05-AO-0002-P

In order to assist lawyers prosecuting and defending criminal cases in the United States District Court for the Northern District of Iowa, the judges of the district enter the following administrative order:

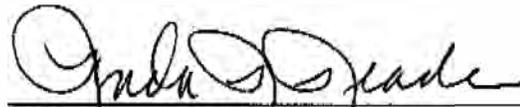
1. Where there are contested advisory United States Sentencing Guidelines issues the judges will follow the prior procedure of determining contested guideline issue facts by a preponderance of the evidence standard without a jury.
2. If a party wants the court to depart, either upward or downward, from the advisory United States Sentencing Guidelines range using traditional departure theory, then a motion should be filed accompanied by a brief.
3. If a party wants the court to vary, either upward or downward, from the advisory guideline range, on grounds other than traditional departure theory, then such a motion should be filed accompanied by a brief.
4. All such motions and briefs, subject to this order, shall be filed at least seven days prior to the scheduled sentencing. Late requests for departures or variances from the advisory United States Sentencing Guidelines may be denied by the court as untimely.

IT IS SO ORDERED.

DATED this 15^T day of February, 2005



MARK W. BENNETT
CHIEF JUDGE, U. S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA



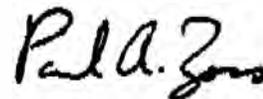
LINDA R. READE
U. S. DISTRICT COURT JUDGE
NORTHERN DISTRICT OF IOWA



DONALD E. O'BRIEN
SENIOR JUDGE
NORTHERN DISTRICT OF IOWA



JUDGE JOHN A. JARVEY
~~CHIEF~~ U.S. MAGISTRATE JUDGE
NORTHERN DISTRICT OF IOWA



PAUL A. ZOSS
U.S. MAGISTRATE JUDGE
NORTHERN DISTRICT OF IOWA

DEC 09 2004

D. Latay
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN THE MATTER OF THE REVISED)
FORFEITURE COLLATERAL)
SCHEDULE PROMULGATED BY THE)
FEDERAL PROTECTIVE SERVICE)
)
)
)
)

ADMINISTRATIVE ORDER
No. 04-AO-0009-P

ORDER OF THE COURT

Now on this 9th day of December, 2004, in the matter of the determination of a revised schedule of appropriate penalties for violations of statutes under Title 41 of the United States Code,¹ by the Federal Protective Service² to prescribe the forfeiture of collateral schedule for prohibited conduct on federal property, the Court hereby finds that for the effective, efficient and proper administration of justice in this district, the following schedule of penalties for violations of the above mentioned regulations committed within the Northern District of Iowa should be established and

IT IS THEREFORE ORDERED that the following penalties for violations of rules and regulations promulgated by the Federal Protective Service for the forfeiture of collateral schedule for prohibited conduct on federal property located in the Northern

¹Previously, building and rules regulations were found in 41 C.F.R. §§ 101-20. They are now found in 41 C.F.R. §§ 102-74, Subpart C.

²The Federal Protective Service (FPS) is responsible for law enforcement and physical security for federal property. FPS is a division of the Department of Homeland Security (DHS), and falls within the auspice of Immigration and Customs Enforcement, a subdivision of the Border and Transportation Security Directorate (BTS). Prior to the creation of the Department of Homeland Security in March 2003, FPS was under the umbrella of the General Services Administration (GSA).

District of Iowa, as reflected in Exhibit A, attached, is adopted, effective the date of this order.

IT IS FURTHER ORDERED that the Magistrate Judges may depart from the fine schedule established by this Order in their discretion based upon the circumstances of the case and the defendant's resources and ability to pay.

IT IS FURTHER ORDERED that anyone charged with violation of any of the above offenses may, within seven days after being so charged, dispose of the matter by sending the appropriate payment to the clerk of the United States District Court for the Northern District of Iowa at Cedar Rapids, Iowa.

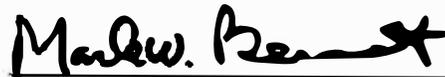
IT IS FURTHER ORDERED that if the fine or penalty is not paid by the person charged with an offense described above within seven days, the matter shall be set down for hearing before a United States Magistrate Judge for the Northern District of Iowa.

IT IS FURTHER ORDERED that the United States Magistrate Judges for the Northern District of Iowa, located at Cedar Rapids and Sioux City, are authorized to try persons accused of the offenses listed in Exhibit A, in accordance with Fed. R. Crim. P. 58.

IT IS FURTHER ORDERED that the Clerk of the United States District Court institute an appropriate collateral forfeiture procedure wherein persons may dispose of the offenses charged by mailing in a sum equivalent to the penalty established in the above Order.

Nothing contained in the above Order shall prevent an officer from requiring a mandatory court appearance by a person charged with any of the above violations when, in the judgement of the officer, the cash payment provided for the violation is inappropriate considering the circumstances surrounding the alleged violations.

Dated this 6th day of December, 2004.



Mark W. Bennett, Chief Judge
United States District Court
Northern District of Iowa

EXHIBIT A

Rules and Regulations
Governing Conduct on Federal Property

July 2004

Federal Management Regulation
Title 41, Code of Federal Regulations, Part 102-74, Subpart C

Applicability (41 CFR 102-74.365). The rules in this subpart apply to all property under the authority of the U.S. General Services Administration and to all persons entering in or on such property. Each occupant agency shall be responsible for the observance of these rules and regulations. Federal agencies must post the notice in the Appendix to part 102-74 at each public entrance to each Federal facility.

Inspection (41 CFR 102-74.370). Federal agencies may, at their discretion, inspect packages, briefcases and other containers in the immediate possession of visitors, employees or other persons arriving on, working at, visiting, or departing from Federal property.

FINE IN LIEU OF APPEARANCE: \$50.00

Federal agencies may conduct a full search of a person and the vehicle the person is driving or occupying upon his or her arrest.

FINE IN LIEU OF APPEARANCE: \$50.00

Admission to Property (41 CFR 102-74.375). Federal agencies must:

- (a) Close property to the public during other than normal working hours. In those instances where a Federal agency has approved the after normal-working-hours use of buildings or portions thereof for activities authorized by subpart D of this part, Federal agencies must not close the property (or affected portions thereof) to the public.
- (b) Close property to the public during working hours only when situations require this action to ensure the orderly conduct of Government business. The designated official under the Occupant Emergency Program may make such decision only after consultation with the buildings manager and the highest-ranking representative of the law enforcement organization responsible for protection of the property or the area. The designated official is defined in Sec. 102-71.20 of this chapter as the highest ranking official of the primary occupant agency, or the alternate highest ranking official or designee selected by mutual agreement by other occupant agency officials.

- (c) Ensure, when property or a portion thereof is closed to the public, that admission to the property, or the affected portion, is restricted to authorized persons who must register upon entry to the property and must, when requested, display Government or other identifying credentials to Federal police officers or other authorized individuals when entering, leaving or while on the property. Failure to comply with any of the applicable provisions is a violation of these regulations.

FINE IN LIEU OF APPEARANCE: \$50.00

Preservation of Property (41 CFR 102-74.380). All persons entering in or on Federal property are prohibited from:

- (a) Improperly disposing of rubbish on property;

FINE IN LIEU OF APPEARANCE: 50.00

- (b) Willfully destroying or damaging property;

MANDATORY APPEARANCE and FINE not to exceed \$500 to be determined by the court (actual fine to be based on severity of offense)

- (c) Stealing property;

MANDATORY APPEARANCE and FINE not to exceed \$500 to be determined by the court (actual fine to be based on severity of offense)

- (d) Creating any hazard on property to persons or things;

FINE IN LIEU OF APPEARANCE: \$50.00

- (e) Throwing articles of any kind from or at a building or the climbing upon statues, fountains or any part of the building.

FINE IN LIEU OF APPEARANCE: \$50.00

Conformity with Signs and Directions (41 CFR 102-74.385). Persons in and on property must at all times comply with official signs of a prohibitory.

FINE IN LIEU OF APPEARANCE: \$50.00

Regulatory or directory nature and with the lawful direction of Federal police officers and other authorized individuals.

FINE IN LIEU OF APPEARANCE: \$75.00

Disturbances (41 CFR 102-74.390). All persons entering in or on Federal property are prohibited from loitering, exhibiting disorderly conduct or exhibiting other conduct on property which:

- (a) Creates loud or unusual noise or a nuisance;

FINE IN LIEU OF APPEARANCE: \$50.00

- (b) Unreasonably obstructs the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots;

FINE IN LIEU OF APPEARANCE: \$50.00

- (c) Otherwise impedes or disrupts the performance of official duties by Government employees; or

FINE IN LIEU OF APPEARANCE: \$100.00

- (d) Prevents the general public from obtaining the administrative services provided on the property in a timely manner.

FINE IN LIEU OF APPEARANCE: \$100.00

Gambling (41 CFR 102-74.395). Except for the vending or exchange of chances by licensed blind operators of vending facilities for any lottery set forth in a state law and authorized by section 2(a)(5) of the Randolph-Sheppard Act (20 U.S.C. 107 et seq.), all persons entering in or on Federal property are prohibited from:

- (a) Participating in games for money or other personal property;

FINE IN LIEU OF APPEARANCE: \$50.00

- (b) operating gambling devices;

FINE IN LIEU OF APPEARANCE: \$150.00

- (c) Conducting a lottery or pool; or

FINE IN LIEU OF APPEARANCE: \$50.00

- (d) selling or purchasing of numbers tickets.

FINE IN LIEU OF APPEARANCE: \$50.00

Narcotics and Other Drugs (41 CPR 102-74.400). Except in cases where the drug is being used as prescribed for a patient by a licensed physician, all persons entering in or on Federal property are prohibited from:

- (a) Being under the influence, using or possessing any narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines; or

FINE IN LIEU OF APPEARANCE: \$100.00

- (b) Operating a motor vehicle on the property while under the influence of alcoholic beverages, narcotic drugs, hallucinogens, marijuana, barbiturates, or amphetamines.

MANDATORY APPEARANCE and FINE not to exceed \$750 to be determined by the court (actual fine to be based on severity of offense)

Alcoholic Beverages (41 CPR 102-74.405). Except where the head of the responsible agency or his or her designee has granted an exemption in writing for the appropriate official use of alcoholic beverages, all persons entering in or on Federal property are prohibited from being under the influence or using alcoholic beverages. The head of the responsible agency or his or her designee must provide a copy of all exemptions granted to the buildings manager and the highest ranking representative of the law enforcement organization, or other authorized officials, responsible for the security of the property.

FINE IN LIEU OF APPEARANCE: \$100.00

Soliciting, Vending and Debt Collection (41 CPR 10274.410). All persons entering in or on Federal property are prohibited from soliciting commercial or political donations, vending merchandise of all kinds, displaying or distributing commercial advertising, or collecting private debts, except for:

- (a) National or local drives for funds for welfare, health or other purposes as authorized by 5 CFR part 950, entitled "Solicitation of Federal Civilian And

Uniformed Service Personnel For Contributions To Private Voluntary Organizations," and sponsored or approved by the occupant agencies;

- (b) Concessions or personal notices posted by employees on authorized bulletin boards;
- (c) Solicitation of labor organization membership or dues authorized by occupant agencies under the Civil Service Reform Act of 1978 (Public Law 95-454); and
- (d) Lessee, or its agents and employees, with respect to space leased for commercial, cultural, educational, or recreational use under the Public Buildings Cooperative Use Act of 1976 (40 U.S.C. 581(h)). Public areas of GSA-controlled property may be used for other activities in accordance with subpart D of this part.

Soliciting for contributions:

FINE IN LIEU OF APPEARANCE: \$50.00

Soliciting for commercial purposes:

FINE IN LIEU OF APPEARANCE: \$50.00

Displaying commercial advertising:

FINE IN LIEU OF APPEARANCE: \$50.00

Collecting private debt:

FINE IN LIEU OF APPEARANCE: \$50.00

Posting and Distributing Materials (41 CFR 102-74.415). All persons entering in or on Federal property are prohibited from:

- (a) Distributing free samples of tobacco products in or around Federal buildings, under Public Law 104-52, Section 636.

FINE IN LIEU OF APPEARANCE: \$50.00

- (b) Posting or affixing materials, such as pamphlets, handbills, or flyers, on bulletin boards or elsewhere on GSA controlled property, except as authorized in Sec.

102- 74.410, or when these displays are conducted as part of authorized Government activities.

FINE IN LIEU OF APPEARANCE: \$50.00

- (c) Distributing materials, such as pamphlets, handbills, or flyers, unless conducted as part of authorized Government activities. This prohibition does not apply to public areas of the property as defined in Sec. 102-71.20 of this chapter. However, any person or organization proposing to distribute materials in a public area under this section must first obtain a permit from the building manager as specified in subpart D of this part. Any such person or organization must distribute materials only in
- (d) accordance with the provisions of subpart D of this part. Failure to comply with those provisions is a violation of these regulations.

FINE IN LIEU OF APPEARANCE: \$50.00

Photographs for News, Advertising, or Commercial Purposes (41 CFR 102-74.420). Except where security regulations apply or a Federal court order or rule prohibits it, persons entering in or on Federal property may take photographs of:

- (a) Space occupied by a tenant agency for non-commercial purposes only with the permission of the occupying agency concerned;
 - (b) Space occupied by a tenant agency for commercial purposes only with written permission of an authorized official of the occupying agency concerned; and
 - (c) Building entrances, lobbies, foyers, corridors, or auditoriums for news purposes.
- (a) Taking photo in space occupied by a tenant without consent:

FINE IN LIEU OF APPEARANCE: \$50.00

- (b) Taking a photo for news purposes in an unauthorized area or when prohibited by security or by Federal court order:

FINE IN LIEU OF APPEARANCE: \$50.00

- (c) Taking a photo for advertising or commercial purposes in an unauthorized area without permission:

FINE IN LIEU OF APPEARANCE: \$50.00

Dogs and Other Animals (41 CFR 102-74.425). Except seeing eye dogs, other guide dogs, and animals used or being trained to guide or assist handicapped persons, persons may not bring dogs or other animals on Federal property for other than official purposes.

FINE IN LIEU OF APPEARANCE: \$50.00

Vehicular and Pedestrian Traffic (41 CFR 102-74.430). All vehicle drivers entering or while on Federal property:

- (a) Must drive in a careful and safe manner at all times;

FINE IN LIEU OF APPEARANCE: \$50.00

- (b) Must comply with the signals and directions of Federal police officers or other authorized individuals;

FINE IN LIEU OF APPEARANCE: \$75.00

- (c) Must comply with all posted traffic signs;

FINE IN LIEU OF APPEARANCE: \$50.00

- (d) Must comply with any additional posted traffic directives approved by the GSA Regional Administrator, which will have the same force and effect as these regulations;

FINE IN LIEU OF APPEARANCE: \$50.00

- (e) Are prohibited from blocking entrances, driveways, walks, loading platforms, or fire hydrants; and

FINE IN LIEU OF APPEARANCE: \$50.00

- (f) Are prohibited from parking on Federal property without a permit.

FINE IN LIEU OF APPEARANCE: \$30.00

Parking without authority, parking in unauthorized locations or in locations reserved for other persons, or parking contrary to the direction of posted signs is prohibited. Vehicles parked in violation, where warning signs are posted, are subject to removal at the owner's risk and expense. Federal agencies may take as proof that a motor vehicle was parked in violation of these regulations or directives as prima facie evidence that the registered owner was responsible for the violation.

FINE IN LIEU OF APPEARANCE: \$30.00

Handicapped parking violation: \$100.00

Explosives (41 CFR 102-74.435) . No person entering or while on Federal property may carry or possess explosives, or items intended to be used to fabricate an explosive or incendiary device, either openly or concealed, except for official purposes.

MANDATORY APPEARANCE

Weapons (41 CFR 102-74.440). Federal law prohibits the possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities by all persons not specifically authorized by Title 18, United States Code, Section 930. Violators will be subject to a fine.

MANDATORY APPEARANCE

Nondiscrimination (41 CFR 102-74.445). Federal agencies must not discriminate by segregation or otherwise against any person or persons because of race, creed, sex, color, or national origin in furnishing or by refusing to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations, and activities provided on the property.

MANDATORY APPEARANCE

Penalties (41 CFR 102-74.450). A person found guilty of violating any rule or regulation in subpart C of this part while on any property under the charge and control of the U.S. General Services Administration shall be fined under title 18 of the United States Code, imprisoned for not more than 30 days, or both.

Impact on Other Laws or Regulations (41 CFR 102-74.455). No rule or regulation in this subpart may be construed to nullify any other Federal laws or regulations or any State and local laws and regulations applicable to any area in which the property is situated.

Federal law prohibits the possession of firearms or other dangerous weapons in Federal facilities and Federal court facilities by all persons not specifically authorized by Title 18, United States Code, Section 930. *Violators will be subject to a fine.*

FILED
U.S. DISTRICT COURT
CEDAR RAPIDS HOUSING OFFICE
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
DIVISION

DEC 02 2004

By: D. Ratay
DEPUTY

IN THE MATTER OF APPOINTMENT
OF UNITED STATES MAGISTRATE
JUDGE FOR THE NORTHERN
DISTRICT OF IOWA,

ADMINISTRATIVE
ORDER NO. 04-AO-0007-P

In accordance with the authority conferred by 28 U.S.C. Section 631, et seq., and the further authority granted and action taken by the Judicial Conference of the United States,

IT IS ORDERED that Paul A. Zoss is hereby reappointed to serve as a full-time Magistrate Judge for the Northern District of Iowa at the salary as may from time to time be fixed by the Judicial Conference of the United States, with official station in Sioux City, Iowa.

Said Paul A. Zoss shall enter upon the performance of the duties as United States Magistrate Judge at Sioux City, Iowa on the 27th day of January, 2005, but prior to commencement of such duties, he shall take the oath or affirmation as prescribed by 28 U.S.C. Sections 453 and 631(g).

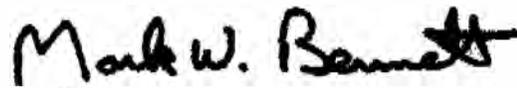
Said Paul A. Zoss, as a full-time United States Magistrate Judge, shall hold and discharge the duties of that office for a term of eight years from the effective date of this appointment, subject to the provisions of 28 U.S.C. Section 631(i), unless sooner

removed.

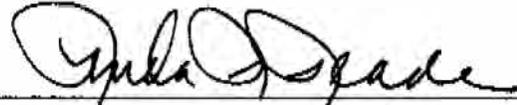
IT IS FURTHER ORDERED that the Clerk of Court furnish certified copies of this Order to be filed at each point of holding Court in this District and shall forward a certified copy of this Order to the Director of the Administrative Office of the United States Courts, as required by 28 U.S.C. Section 631(h).

IT IS SO ORDERED.

DATED this 2ND day of December, 2004.



MARK W. BENNETT
CHIEF JUDGE, U. S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA



LINDA R. READE,
JUDGE, U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

I, the undersigned Clerk of the United States District Court for the Northern District of Iowa, do certify that the foregoing is a true copy of an original document residing on file and record in my office.

WITNESSED my hand and seal of said Court
this 2ND day of December, 2004
By: Debra S. Latay
Priscilla A. Winkler, Clerk
Deputy

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

JUN 10 2004

By: _____

D. Ratay
DEPUTY

No. 04-AO-000 3-P

IN RE

**AUTOMATIC SANCTIONS FOR
FAILURE TO FILE DOCUMENTS
ELECTRONICALLY**

ADMINISTRATIVE ORDER

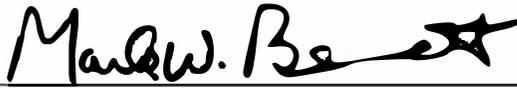
In accordance with Local Rules 5.1(d) and 5.3; Local Criminal Rule 55.2; and the district's Electronic Case Filing system Procedures Manual (Administrative Order 04-AO-0001-P, "Procedures for Electronically Serving, Filing, Imaging and Accessing Documents in the United States District Court for the Northern District of Iowa"), with few exceptions, every document submitted to the Clerk of Court for filing in a civil or criminal case pending in the district is required to be filed electronically using the district's Electronic Case Filing (ECF) system. Despite this requirement, some attorneys continue to submit paper documents for filing that are required by the rules or the Procedures Manual to be filed electronically.

THEREFORE, IT IS HEREBY ORDERED, beginning October 1, 2004, the Clerk of Court is authorized, without further order of this court, to enter orders requiring attorneys to pay sanctions of \$25.00 for each document submitted to the Clerk for filing in paper form when the filing of the document other than electronically either is not authorized by one of the exceptions to electronic filing in the rules or Procedures Manual, or has not been authorized by the Clerk or by a previously-entered order of the court.

The Clerk of Court is directed to place a copy of this order in the Public Administrative Orders binder. The Clerk also is directed to do the following: (1) mail or deliver a copy of this order immediately to all attorneys who, from and after the date of this order, improperly submit documents to the Clerk for filing other than electronically;

(2) mail or deliver, by July 1, 2004, a copy of this order to all attorneys who are admitted to practice before this court, either as members of the bar of the district or *pro hac vice* in a pending case, who are not registered in the district's ECF system; and (3) provide a copy of this order to all attorneys newly admitted to practice before this court, either as a member of the bar or *pro hac vice*, on or after the date of this order.

DONE AND ORDERED this ^{4th} 10 day of June, 2004.



Mark W. Bennett, Chief U.S. District Judge
UNITED STATES DISTRICT COURT



Linda R. Reade, U.S. District Judge
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
03 OCT 28 PM 3:51

CEDAR RAPIDS HQ/TRS. OFFICE

IN RE
ASSIGNMENT OF CENTRAL
DIVISION CRIMINAL CASES

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ADMINISTRATIVE ORDER
NO. 03-AO-0014-P

J. Ratay

FOR CAUSE

IT IS ORDERED

1. Effective November 1, 2003 Administrative Order 03-AO-0005 is rescinded. All Central Division criminal cases filed after November 1, 2003 shall remain Central Division cases but shall be filed and processed in the Western Division of the Northern District of Iowa.
2. A copy of this order shall be placed in the Public Administrative Order Book.

Ordered this 28th Day of October 2003.

Mark W. Bennett
Mark W. Bennett Chief Judge
UNITED STATES DISTRICT COURT

2002 NOV -4 PM 1:50

IN THE UNITED STATES DISTRICT COURT
NORTHERN ~~SOUTHERN~~ DISTRICT OF IOWA

CLERK OF COURT OFFICE
BY: 

IN THE MATTER OF
THE ADMINISTRATIVE ORDERS
OF THE COURT

ADMINISTRATIVE ORDER
NO. 02-AO-0001

The court has conducted a comprehensive review of the administrative orders it has issued over the years, and **FINDS** these orders should be clarified, reorganized, and restructured. To this end, the court has determined that copies of certain of these orders should be maintained by the Clerk of Court in a separate binder entitled "Public Administrative Orders," and made available to the public at the staffed offices of the Clerk of Court and on the district's web site at www.iand.uscourts.gov. The court also has determined that copies of certain of these orders should be maintained by the Clerk of Court in a separate binder entitled "Administrative Orders Regarding Personnel and Office Administration." Finally, the court has determined that certain other of these orders are outdated, either because they have been superseded or because they have no current use or purpose, and therefore should be designated as having no further force or effect.

Therefore, for cause, it is **ORDERED** as follows:

The Clerk of Court is to continue to maintain the originals of all administrative orders issued by the judges of the district in the internal Administrative Order binders currently being maintained in the Clerk of Court office in Cedar Rapids, and copies of all such administrative orders in the internal Administrative Order binders currently being maintained in the Clerk of Court office in Sioux City. These internal Administrative Order binders are to include separate binders for the following documents: (1) orders designating jurisdictions where judges may hold court; (2) orders containing designations for service of process; (3) orders relating to the Library Fund; and (4) orders relating to Naturalization.

The Clerk of Court is to maintain separate copies of the following administrative orders in a binder entitled "Public Administrative Orders," and make the contents of the binder available to the public at the Clerk of Court's offices in Cedar Rapids and Sioux City and on the district's web site:

Number	Date	Description
1530	10/21/02	Order authorizing Local Rules Committee to publish notice which constitutes compliance with FRCP 83(a)(1)
1527	07/03/02	Order approving Search Policy of U.S. Probation Office
1513	02/07/02	Order prohibiting law enforcement representatives from wearing uniforms in court while appearing in criminal and civil jury trials
1509	01/08/02	Order setting forth procedures with respect to presentence reports and statement of reasons in the Northern District
1507	07/05/01	Order setting procedures applicable to guilty pleas before Magistrate Judge Paul A. Zoss
1502	05/18/01	Order re payment of interim CJA vouchers
1501	02/15/01	Amendment to Local Rules effective 02/15/01 (LCrR 12 and LCrR 32.1)
1497	12/27/00	Order re Local Rules for ND & SD effective 01/01/01
1487	11/06/00	Order authorizing Local Rules Committee to publish notice which constitutes compliance with FRCP 83(a)(1)
1479	07/27/00	Order setting forth procedures for filing Rule 32 waivers in Western and Central Districts
1472	04/20/00	Order appointing CJA Panel Selection Committee
1466	01/20/00	Order amending court's plan for the random selection of grand and petit jurors.
1452	12/07/99	Order prohibiting smoking from all areas of the courthouses in the ND
1447	10/04/99	Order referring actions for judicial review of administrative actions by the SSA on individual applications for benefits to Magistrate Judge Paul A. Zoss
1392	02/19/98	Order authorizing the US Attorney's Office to make disclosure of matters occurring before the grand jury

Number	Date	Description
1357	05/02/97	Order granting Magistrate Judge Zoss continued authority to accept guilty pleas in felony cases
1354	04/11/97	Order amending 04/10/97 order regarding refilling jury wheels
1353	04/10/97	Order establishing new master wheels in accordance with the amended plan for the random selection of grand and petit jurors in the United States District Court for the Northern District of Iowa
1331	12/11/96	Order amending court's plan for random selection of grand and petit jurors
1318	05/31/96	Order authorizing USDC-NDIA to participate in Bankruptcy Appellate Panel
1311A	05/15/96	Order establishing Bankruptcy Appellate Panel
1265	03/31/95	Order setting forth procedure for case assignments
1241	12/05/94	Order setting out procedures for imposing sentences under the Sentencing Reform Act of 1984 and FED. R CRIM. P. 32
1235	09/13/94	Order adopting Amended and Substituted Criminal Justice Act Plan for the ND
1213	01/31/94	Order granting Clerk of Court authority to grant certain unresisted ministerial motions
1184 (<i>& attachment</i>)	09/13/93	Order amending plan of the ND for providing representation pursuant to The Criminal Justice Act of 1964, as amended.
1183	08/30/93	Order Establishing Forfeiture Schedule for the ND
1154	12/18/92	Order amending Plan for Representation of Indigent Plaintiffs in Civil Rights Cases
1121	03/30/92	Order approving Notice of Prejudgment Remedies
1119	03/30/92	Plan for Representation of Indigent Plaintiffs in Civil Rights Cases
1105	02/06/92	Order adopting maximum allowable transcript rates
1079	07/08/91	Order referring to magistrate judges all cases under the Federal Debt Collection Procedures Act of 1990
1051	06/13/90	Order assigning to magistrate judges all applications for appointment of receivers and all applications for writs of replevin

Number	Date	Description
927	05/05/86	Order referring to US Bankruptcy Court all cases under Title 11, U.S.C.
800	06/10/80	Amended and Modified Plan pursuant to Speedy Trial Act of 1974

The Clerk of Court also is to maintain copies of the following administrative orders in a binder entitled "Administrative Orders Regarding Personnel and Office Administration":

Number	Date	Description
1524	07/22/02	Order appointing Chris Hopper as a volunteer U. S. Probation Officer
1518	05/23/02	Order appointing Chris Hopper as a volunteer U. S. Probation Officer
1517	05/23/02	Order appointing Dan Chatham as a volunteer U. S. Probation Officer
1516	05/20/02	Order appointing Chris Hopper as a volunteer U. S. Probation Officer
1515	05/20/02	Order appointing Dan Chatham as a volunteer U.S. Probation Officer
1514	04/18/02	Order adopting plan for providing reimbursement of premiums for professional liability insurance
1511	01/07/02	Order reaffirming previous order authorizing probation officers to carry firearms
1508	08/14/01	Order adopting plan for administration of court's Library Fund
1449	11/01/99	Order delegating to clerk of the court the supervision of pro se law clerk's leave
1435	06/03/99	Order adopting Health & Safety Plan
1431	04/15/99	Combined EEO/EDR Plan
1373	10/16/97	Order authorizing probation officers to carry firearms

Number	Date	Description
1362	06/10/97	Order clarifying court reporters' duties
1302	01/18/96	Order appointing James D. Hodges, Jr., Clerk of Court
1280	10/10/95	Order certifying approval of Internal Control Manuals of Probation/Pretrial Offices
1232	07/27/94	Order certifying approval of revised Model Eighth Circuit Internal Controls Manual
1089	11/14/91	Order re USPO Ellerbroek's assignment of duties

The following administrative orders have no further force or effect:

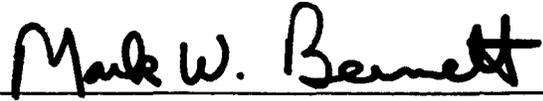
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1528	1474	1399	1330	1276	1193	1116	1052
1526	1469	1395	1327	1272	1191	1115	1050
1525	1467	1389	1326	1270	1189	1114	1049
1523	1465	1387	1323	1267	1187	1113	1048
1522	1464	1371	1321	1262	1181	1112	1047
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1520	1448	1369	1317	1259	1167	1110	961
1519	1444	1365	1316	1238	1164	1103	960
1512	1442	1364	1315	1237	1162	1095	959
1510	1438	1363	1313	1236	1134	1086	958
1506	1434	1359	1312	1231	1133	1082	957
1505	1432	1358	1311	1228	1129	1080	956
1504	1409	1356	1301	1218	1128	1072	955
1503	1407	1355	1287	1216	1127	1064	949
1496	1406	1352	1286	1215	1126	1063	928-948
1495	1404	1351	1285	1214	1125	1055	801-926
1478	1403	1333	1284	1211	1124	1054	1-799
1476							

The Clerk of Court is directed to place a copy of this order in the Public Administrative Orders binder and on the district's web site. With respect to administrative orders entered after the date this order is entered, the federal judge entering the order will advise the Clerk of Court whether or not to place a copy of the order in the Public

Administrative Orders binder or in the Administrative Orders Regarding Personnel and Office Administration binder.

IT IS SO ORDERED.

DATED this 4th day of November, 2002.



MARK W. BENNETT, Chief Judge
United States District Court
Northern District of Iowa

Copies mailed on 11/4/02
to counsel of record or pro se
parties as shown on the docket
sheet. JD NO/50.1 Legal Clerk
KJS
Deputy Clerk

✓ Clerk's Office - Sioux City

RECEIVED DEC 28 2001

FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
2002 JAN -8 AM 9:28
CEDAR RAPIDS HQQTRS. OFFICE

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

IN RE)
SEALING PRESENTENCE REPORTS)
AND STATEMENTS OF REASONS)
)
)
)
)

ADMINISTRATIVE ORDER BY J. Latay
NO. 1509

Pursuant to the Directors August 13, 2001 memo entitled "Policy Change Restricting Routine Public Disclosure of the Statement of Reasons and Revised Forms for Judgments in Criminal Cases (AO245B -AO2451)", the Court has determined that the following procedures shall be followed with respect to Presentence Reports and Statement of Reasons in this district.

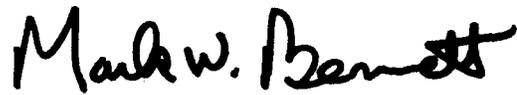
ACCORDINGLY IT IS ORDERED

1. That after sentencing, the presentence report, along with the "statement of reasons", shall be filed and maintained under seal by the clerk.
2. The probation officer's confidential recommendation shall be filed and maintained under seal by the clerk, separate from the presentence report, and is not subject to disclosure pursuant to Rule 32(b)(6) and Administrative Order in the Matter of Guideline Sentencing Procedure for the United States District Court for the Northern and Southern Districts of Iowa, dated December 5, 1994.
3. Counsel shall not disseminate their copy of the presentence investigation report

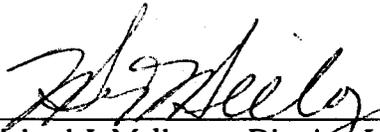
1509

except to the extent provided by F.R.Cr.P 32 and Title 18 U.S.C. Section 3552(d).

Ordered this 7th day of Jan., 2001.



Mark W. Bennett Chief Judge
UNITED STATES DISTRICT COURT



Michael J. Melloy District Judge
UNITED STATES DISTRICT COURT

MAY 18 2001

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

By: PC
DEPUTY

IN RE)	
PAYMENT OF INTERIM CJA)	
VOUCHERS)	ADMINISTRATIVE ORDER
)	NO. <u>1501</u>
)	
)	
)	

Representatives of the CJA Panel for the Western Division of the Northern District of Iowa met with the Court on April 6, 2001, to discuss issues of concern to the Panel and to the Court. After receiving input from the Panel members, the Clerk of Court, and the Federal Public Defender, the Court **finds:**

In cases where a Panel attorney withdraws before the case is concluded and is replaced by another Panel attorney, delaying voucher payments to the withdrawing attorney until the conclusion of the case generally constitutes a financial hardship to the withdrawing attorney.

ACCORDINGLY, IT IS ORDERED

Effective upon the signing of this order, the Clerk of Court is directed to process for immediate payment, in accordance with Guide to Judiciary Policies and Procedures Volume VII Appointment of Counsel in Criminal Cases, any voucher submitted by an attorney who previously was appointed to represent a defendant in a criminal action and who has been allowed to withdraw. The Clerk of Court shall keep a copy of any such vouchers in the file and attach them to vouchers subsequently submitted for payment in the same case. When approving

1502

subsequent vouchers, the reviewing judge will consider the amounts paid to previous counsel in the case in determining the case maximums and the reasonableness of fees charged.

Ordered this 18th Day of May, 2001.

Mark W. Bennett Chief Judge
UNITED STATES DISTRICT COURT



Michael J. Melloy Judge
UNITED STATES DISTRICT COURT

subsequent vouchers, the reviewing judge will consider the amounts paid to previous counsel in the case in determining the case maximums and the reasonableness of fees charged.

Ordered this 16th Day of May, 2001.



Mark W. Bennett Chief Judge
UNITED STATES DISTRICT COURT

Michael J. Melloy Judge
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

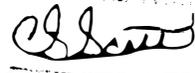
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U.S. DISTRICT COURT
NORTH IOWA
00 JUL 27 PM 3: 58

JAR RAPID RESPONSE UNIT

IN THE MATTER OF

RULE 32 WAIVERS

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BY 
ADMINISTRATIVE ORDER
(Amends N.D. Order filed 12/5/94)

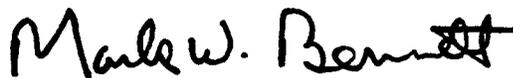
1479

1. This order governs procedures for the filing of Rule 32 waivers in the Western and Central Divisions in which the defendant consents to the preparation and inspection of a presentence investigation report prior to the Court's formal acceptance of a plea of guilty.

2. Upon the Clerk's filing of the Rule 32 waiver, the Probation Office shall commence to prepare a presentence investigation and make a report thereof only if the government, defense counsel and the Probation Office agree that it is in the interests of justice to do so. Said agreement may be oral or written. The government shall submit an Offense Conduct Statement to the Probation Office in accordance with the time frame set forth in the Guidelines Sentencing Procedures Administrative Order dated December 2, 1994. Defense counsel may submit an Offense Conduct Statement within this same time frame.

3. It is the intent of the Court that any exception to this procedure will be rare and, on that occasion, the Court will consider a departure from the procedure only if it is convinced that it is in the best interest of justice to do so.

Done and so ordered this 25th day of July, 2000.



Mark W. Bennett, Chief Judge
UNITED STATES DISTRICT COURT

1479

FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA

MAY 31 AM 9:12
COURT CITY RM. OFFICE
BY M. Hoch

IN THE MATTER OF) ADMINISTRATIVE ORDER
BANKRUPTCY APPELLATE PANEL) NO. 1318
)

The Eighth Circuit Judicial Council entered an order on April 10, 1996, establishing a Bankruptcy Appellate Panel within the Eighth Circuit. The judges of this district have now met and determined that pursuant to that order the United States District Court for the Northern District of Iowa will participate in the Bankruptcy Appellate Panel. Parties to appeals from the United States Bankruptcy Court for the Northern District of Iowa will have the option to have their appeals heard by the Bankruptcy Appellate Panel.

Done and Ordered this 25th day of May, 1996.

Michael J. Melloy
Michael J. Melloy, Chief Judge
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

Mark W. Bennett
Mark W. Bennett, Judge
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

1318.

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF IOWA

FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
93 SEP 13 PM 2:07

AMENDMENT TO THE PLAN OF THE
NORTHERN DISTRICT OF IOWA
FOR PROVIDING REPRESENTATION PURSUANT TO
THE CRIMINAL JUSTICE ACT OF 1964, AS AMENDED

U.S. DISTRICT COURT OFFICE

WHEREAS, a federal public defender organization to provide representation in the Southern District of Iowa is in the process of being established pursuant to subsection (g)(2)(A) of the Criminal Justice Act (CJA), 18 U.S.C. § 3006A;

WHEREAS, the United States District Court for the Northern District of Iowa wishes to establish a federal public defender organization in the District;

WHEREAS, the geographical proximity of the Northern and Southern Districts of Iowa, and the number and distribution of appointments therein, make it practical for one organization to serve both districts;

WHEREAS, the Northern and Southern Districts of Iowa are adjacent districts which have a sufficient volume of appointments annually to enable the establishment of a defender organization pursuant to subsection (g)(1) of the CJA;

IT IS THEREFORE ORDERED, that, subject to the approval of the Judicial Council of the Eighth Circuit, the plan of the Northern District of Iowa for providing representation pursuant to the Criminal Justice Act of 1964, is hereby amended to provide for the establishment of the Federal Public Defender Organization for the Northern and Southern Districts of Iowa pursuant to subsections (g)(1) and (g)(2)(A) of the CJA.

(1) The Federal Public Defender Organization is authorized to provide representation throughout the Northern and Southern Districts of Iowa. The organization shall maintain offices in Des Moines and Cedar Rapids.

(2) Upon organization of the Federal Public Defender's office, the Federal Public Defender shall notify this court that he or she is available to accept appointments for representation.

(3) The Federal Public Defender shall be responsible for the supervision and management of the Federal Public Defender Organization. Accordingly, the Federal Public Defender shall be appointed in all cases assigned to that organization for subsequent assignment of staff attorneys at the discretion of the Federal Public Defender.

1184

(4) The Federal Public Defendant Organization shall operate pursuant to the provisions of subsection (g)(2)(A) of the CJA, as well as the Guidelines for the Administration of the Criminal Justice Act, Volume VII, Guide to Judiciary Policies and Procedures.

The provisions of the CJA Plan, last amended on February 23, 1971, shall remain in effect except to the extent that they are inconsistent with the provisions of this amendment, in which case the provisions of this amendment shall govern.

Dated at Cedar Rapids, Iowa this 3rd day of Sept., 1993.



Chief United States District Judge

UNITED STATES COURTS

Judicial Council of The Eighth Circuit
P.O. Box 75428
St. Paul, Minnesota 55175
612-290-3311

RECEIVED OCT 04 1993

CIRCUIT EXECUTIVE

June L. Boadwine

Facsimile:
612-290-3309

FILED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF IOWA
93 OCT -4 AM 11:09
CEDAR RAPIDS OFFICE
BY *[Signature]*

EIGHTH CIRCUIT JUDICIAL COUNCIL

O R D E R

I hereby certify that the Eighth Circuit Judicial Council approves the amendment to the Criminal Justice Act Plan for the Northern District of Iowa to establish a joint federal public defender organization with the Southern District of Iowa.

June L. Boadwine

June L. Boadwine
Circuit Executive

St. Paul, Minnesota
September 30, 1993

cc: Judicial Council Members
Hon. Michael J. Melloy
District Court Clerk
Administrative Office

Approval was given by the Defender Services Committee.

SPO595

ATTACH TO # 1184

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN AND SOUTHERN DISTRICTS OF IOWA

FILED

CEDAR RAPIDS HQTRS OFFICE
NORTHERN DISTRICT OF IOWA

DEC 18 1992

IN RE: PLAN FOR REPRESENTATION OF)
INDIGENT PLAINTIFFS IN)
CIVIL RIGHTS CASES)

NO. M1-105

ORDER

N.D. IA. ADMIN. ORDER ~~1119~~

WILLIAM J. KANAK - Clerk

By: [Signature] Deputy

1154

IT IS ORDERED that the Plan for Representation of Indigent Plaintiffs in Civil Rights Cases is amended to exempt attorneys who are full-time employees of a legal aid society, legal services corporation, or other nonprofit organization, which has as its primary purpose the furnishing of legal services to indigent Iowans from payment of the \$50.00 special assessment.

Dated this 18th day of December, 1992.

[Signature: Donald E. O'Brien]

DONALD E. O'BRIEN, Chief Judge
United States District Court
Northern District of Iowa

[Signature: Charles R. Wolle]

CHARLES R. WOLLE, Chief Judge
United States District Court
Southern District of Iowa

[Signature: Michael J. Melloy]

MICHAEL J. MELLOY, Judge
United States District Court
Northern District of Iowa

[Signature: Harold D. Vietor]

HAROLD D. VIETOR, Judge
United States District Court
Southern District of Iowa

[Signature: Ronald E. Longstaff]

RONALD E. LONGSTAFF, Judge
United States District Court
Southern District of Iowa

~~1119~~ 1154
1154