

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

IN RE: CASE ASSIGNMENTS
FOR DISTRICT COURT JUDGES

**PUBLIC
ADMINISTRATIVE ORDER**

No. 17-AO-0007-P
(Supercedes No. 16-AO-0002 P)

Effective this 1st day of June, 2017, 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, in civil cases the active district judge, senior judge, and magistrate judge 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 randomly assigned as any other civil case.

3. 42 U.S.C. § 1983 cases will be assigned in the following manner: the Sioux City senior resident district judge 20%, each active resident district judge 40%.

4. Social Security cases will be assigned evenly between the active district judges.

5. All other civil cases will be assigned in the following manner: the Sioux City senior judge 20% and each active judge 40%.

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 the resident district judges in the following manner: active resident district judge 75% and senior resident 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 active resident district judge. However, a sufficient number of those cases will be assigned to the Sioux City active resident district judge such that, after excluding criminal cases that are assigned to a senior district judge, the Sioux City active resident district judge will carry 45% of the total number of criminal cases and the Cedar Rapids active resident district judge will carry 55% of the criminal cases.

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 judge will be reassigned to the Sioux City district judge. 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

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 resident district judge and the number of defendants in criminal cases assigned to the Cedar Rapids active resident district judge. The Chief 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 supercedes Administrative Order 16-AO-0002-P.


IT IS SO ORDERED this 1st day of June, 2017.



LEONARD F. 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

Certified original placed in Public Administrative Order Book.

Copies disbursed this 1st day of June, 2017 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 Chief Magistrate Judge C. J. Williams
Chambers of Judge Kelly K.E. Mahoney
Robert Phelps, Clerk of District Court
Renea Solmonson, Chief Deputy
Kim Schwartz, Deputy in Charge
Bryan Woodward for posting on the external NDIA web-site



Laura Harberts
Administrative Assistant

