

## Relationship of the Judicial Branch to the Executive and Legislative Branches

In Iowa government, power is distributed among three branches: legislative, executive, and judicial.

### Legislative Branch

creates laws that establish policies and programs

### Executive Branch

carries out the policies and programs in the laws created by the legislative branch, and has veto power of legislation passed

### Judicial Branch

resolves any conflicts arising from the interpretation or application of the laws

It is up to the judicial branch to interpret and apply the laws, to settle disputes in civil cases, and determine guilt or innocence in criminal cases. Iowa's courts handle cases that involve a violation or application of the state's constitution or laws passed by the Iowa legislature. Iowa's court system includes two general types of courts: trial courts (called District Courts) and appellate courts (the Supreme Court and Court of Appeals).

Iowa citizens have a deciding role to play in all three branches. You elect the legislative and executive representatives, and have the final say through regular retention elections over who serves as judge or justice. You decide the outcome of civil court cases and determine guilt or innocence in criminal court cases through the constitutional right to trial by jury.

## The Missouri Nonpartisan Court Plan: Merit Selection and History

Iowa adopted the Missouri Nonpartisan Court Plan in 1962. Commonly known as the Missouri Plan, it has served as a national model for the selection of judges and has been adopted in more than 30 other states.

### Merit Selection

Iowa's judicial selection system provides for the selection of judges based on merit, experience, and qualifications. Under Iowa's system, a nonpartisan and gender-balanced judicial nominating commission reviews applications, interviews candidates, and selects nominees for the Governor to consider before making the final appointment.

### History of the Missouri Plan

In the 1930s, the role of politics in judicial selection and judicial decision making increased substantially, and the public became increasingly dissatisfied with the shift. Judges found themselves plagued by outside influences and politics, and dockets were congested due to time the judges spent campaigning.

In 1940, Missouri voters were the first to shield the selection of judges from the corrupting influence of money and politics by amending their state constitution and adopting the "Nonpartisan Selection of Judges Court Plan."

### The Importance of Fair & Impartial Courts

Iowa's judicial system is one of the finest in the country. Iowa's merit selection and retention process is designed to keep politics and campaign money out of our courts, safeguarding its fairness and impartiality. If politics and campaign money are allowed to control the courts, justice will be for sale.

## Role of the Courts: Iowa Court of Appeals and Iowa District Courts

### Iowa Court of Appeals

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As an intermediate appellate court, the Iowa Court of Appeals reviews appeals from trial court decisions that have been transferred to the court of appeals by the Supreme Court. A decision of the Iowa Court of Appeals is final unless reviewed by the Iowa Supreme Court on grant of further review. Some opinions of the Iowa Court of Appeals are published and become precedent for subsequent cases. The majority of appeals filed in Iowa are decided by the Court of Appeals.

The Iowa Court of Appeals does not preside over trials. The Court of Appeals proceedings do not involve witnesses, juries, new evidence, or court reporters. Instead, the court reviews the written record of the trial court to determine whether any significant legal errors occurred.

### Iowa District Courts

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Iowa District Courts are the state trial courts of general jurisdiction. Iowa has eight District Courts that have original jurisdiction in civil cases with any controversial amounts, felony criminal cases, domestic relations, family law, and cases involving minors (including adoption, dependency, juvenile delinquency, and probate cases).

## Role of the Courts: Iowa Supreme Court

As an appellate court, the Iowa Supreme Court reviews decisions of trial courts in which appeals have been allowed. An appellate court does not preside over trials. Appellate court hearings do not involve witnesses, juries, new evidence, or court reporters. Instead, an appellate court reviews the written record of the trial court to determine whether any significant legal errors occurred.

### **The Iowa Supreme Court is the constitutional head of the Iowa Judicial Branch. Responsibilities include:**

- The court is the “court of last resort” or the highest court in the Iowa state court system. Its opinions are binding on all other Iowa state courts.
- The Iowa Supreme Court has the sole power to admit persons to practice as attorneys in the courts of Iowa, to prescribe rules to supervise attorney conduct, and to discipline attorneys.
- The court is responsible for promulgating rules of procedure and practice used throughout the state courts.
- The Iowa Supreme Court has supervisory and administrative control over the judicial branch and over all judicial officers and court employees.

## Iowa Supreme Court

### 1. APPLICANTS

As many as apply

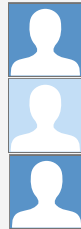
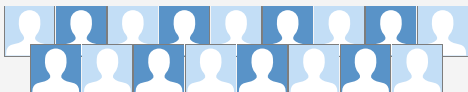


### 2. STATE NOMINATING COMMISSION\*

9 Governor appointments confirmed by Iowa Senate (6-year term)

8 Elected by lawyers (6-year term)

Iowa requires gender balance on the commission, the only state that requires this



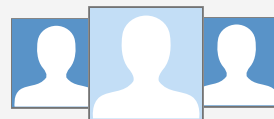
### 3. PANEL OF 3 BEST APPLICANTS

Applicants are evaluated based on qualifications

Top 3 sent to the Governor

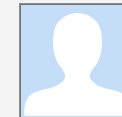
### 4. GOVERNOR

Chooses 1 of 3 candidates selected by Commission



### 5. NEWLY APPOINTED JUDGE

Takes office upon Governor's appointment



### 6. JUDICIAL RETENTION ELECTIONS

Iowans have the final say in retention elections

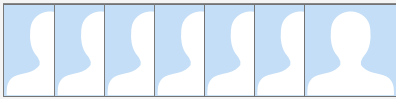


\* The makeup of the State Judicial Nominating Commission changed in 2019 when the administration of Governor Kim Reynolds, and the Iowa legislature, removed the standing position of commission chair (held by a senior justice of the state supreme court) and added an additional seat on the commission that is filled through governor appointment.

## Iowa Court of Appeals

### 1. APPLICANTS

As many as apply

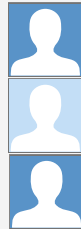
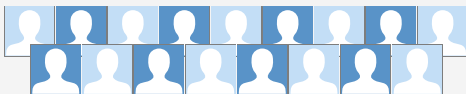


### 2. STATE NOMINATING COMMISSION\*

9 Governor appointments confirmed by Iowa Senate (6-year term)

8 Elected by lawyers (6-year term)

Iowa requires gender balance on the commission, the only state that requires this



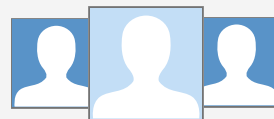
### 3. PANEL OF 5 \*\* BEST APPLICANTS

Applicants are evaluated based on qualifications

Top 5 sent to the Governor

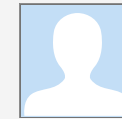
### 4. GOVERNOR

Chooses 1 of 5 \*\* candidates selected by Commission



### 5. NEWLY APPOINTED JUDGE

Takes office upon Governor's appointment



### 6. JUDICIAL RETENTION ELECTIONS

Iowans have the final say in retention elections



\* The makeup of the State Judicial Nominating Commission changed in 2019 when the administration of Governor Kim Reynolds, and the Iowa legislature, removed the standing position of commission chair (held by a senior justice of the state supreme court) and added an additional seat on the commission that is filled through governor appointment.

\*\* In 2022, the administration of Governor Kim Reynolds, and the Iowa legislature, expanded the number of nominees that the State Judicial Nominating Commission must send forward to the governor for Court of Appeals openings from three to five nominees.

## Iowa District Courts

### 1. APPLICANTS

As many as apply



### 2. DISTRICT NOMINATING COMMISSION\*

5 Governor appointments (6-year term)

5 Elected by lawyers (6-year term)

1 Chief Judge as chair

Iowa requires gender balance on the commission, the only state that requires this



### 3. PANEL OF 2 BEST APPLICANTS

Applicants are evaluated based on qualifications

Top 2 sent to the Governor

### 4. GOVERNOR

Chooses 1 of 2 candidates selected by Commission



### 5. NEWLY APPOINTED JUDGE

Takes office upon Governor's appointment



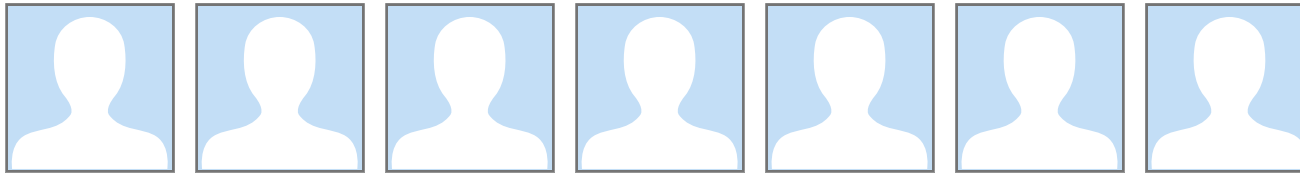
### 6. JUDICIAL RETENTION ELECTIONS

Iowans have the final say in retention elections



\* In 2019, the administration of Governor Kim Reynolds, and the Iowa legislature, made politically motivated changes to the makeup of the State Judicial Nominating Commission, but no changes to the nominating commissions for Iowa's district courts were passed into law.

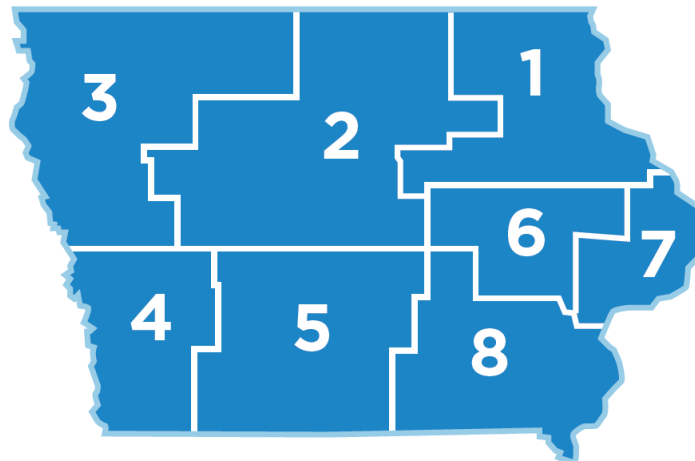
## IOWA SUPREME COURT (7 Justices)



## COURT OF APPEALS (9 Appellate Judges)



## DISTRICT COURTS (8 Districts)



Last Updated August 2023



## IOWA SUPREME COURT (7 Justices)

Chief Justice Susan Christensen

Justice Thomas D. Waterman

Justice Dana Oxley

Justice Edward M. Mansfield

Justice Matthew McDermott

Justice Christopher McDonald

Justice David May

## COURT OF APPEALS (9 Appellate Judges)

Chief Judge Thomas N. Bower

Judge Mary Tabor

Judge Gina Badding

Judge Sharon Soorholtz-Greer

Judge Mary E. Chicchelly

Judge Julie Schumacher

Judge Tyler J. Buller

Judge Paul B. Ahlers

Judge Samuel Langholz

## DISTRICT COURTS (8 Districts)

1. Chief Judge Kellyann Lekar

5. Chief Judge Michael Huppert

2. Chief Judge Adria A. Kester

6. Chief Judge Lars Anderson

3. Chief Judge Patrick H. Tott

7. Chief Judge Henry Latham

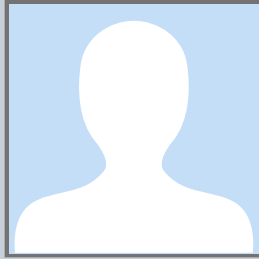
4. Chief Judge Jeff Larson

8. Chief Judge Myron Gookin



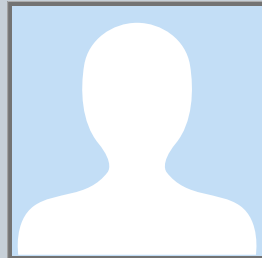
**Justice  
Matthew McDermott**

Appointed 2020  
Term Expires 2030



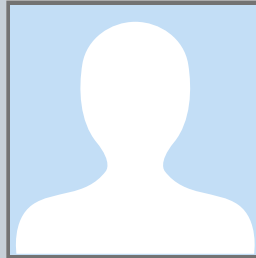
**Justice  
Christopher McDonald**

Appointed 2019  
Term Expires 2028



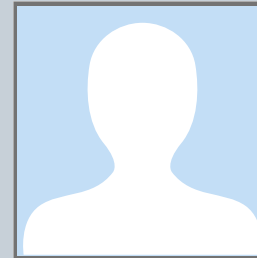
**Justice  
Thomas Waterman**

Appointed 2011  
Term Expires 2028



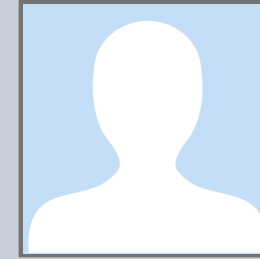
**Chief Justice  
Susan Christensen**

Appointed 2018  
Elected Chief 2020  
Term Expires 2028



**Justice  
Edward Mansfield**

Appointed 2011  
Term Expires 2028



**Justice  
Dane Oxley**

Appointed 2020  
Term Expires 2030



**Justice  
David May**

Appointed 2022  
Term Expires 2024

## As the Constitutional head of the Iowa Judicial Branch, the seven-member Iowa Supreme Court has many important responsibilities.

The court is the “court of last resort” or highest court in Iowa. Its opinions are binding on all other Iowa state courts.

The Iowa Supreme Court has the sole power to admit persons to practice as attorneys in the courts of Iowa, to prescribe rules to supervise attorney conduct, and to discipline attorneys.

The court is responsible for promulgating rules of procedure and practice used throughout the state courts.

The Iowa Supreme Court has supervisory and administrative control over the judicial branch and over all judicial officers and court employees.

# TIMELINE: IOWA COURTS THROUGHOUT THE YEARS

**1838**

**Iowa Territorial Supreme Court**  
Charles Mason was the first Chief Justice of the Iowa Territorial Supreme Court starting in 1838, and later the first Chief Justice of the State Supreme Court in 1846.

**1839**

**In the Matter of Ralph**  
The first decision of the Iowa Supreme Court declared Ralph Montgomery, a Missouri slave working in Iowa, a free man.

**1857**

**The Iowa Constitution of 1857**  
Enduring today, the Iowa Constitution of 1857 vested judicial power in the supreme court, district courts, and such lower courts as established by the general assembly.

**1868**

**Clark v. The Board of Directors**  
The Iowa Supreme Court ruled that racially segregated “separate but equal” schools were to no longer exist in Iowa – 86 years before the U.S. Supreme Court reached the same decision.

**1869**

**Arabella A. Mansfield**  
Iowan Arabella A. Mansfield became the nation’s first female lawyer when the Iowa Supreme Court ruled that women may not be denied the right to practice law in Iowa.

**1873**

**Coger v. The North Western Union Packet Co.**  
The Iowa Supreme Court ruled against racial discrimination in public accommodations – 91 years before the U.S. Supreme Court reached the same decision.

**1962**

**Merit Selection and Retention Elections Established**  
The people of Iowa approved a constitutional amendment establishing a merit selection system for the selection of all appellate and district court judges.

**1986**

**First Female Justice Appointed**  
Justice Linda K. Neuman was the first woman appointed to the Iowa Supreme Court and served until her retirement in 2003.

**2002**

**Iowa Judicial Branch Building**  
Construction was completed on the state of the art building, which consolidated the five judicial service sites around Des Moines into one building on the Capitol Complex.

**2006**

**First Female Chief Justice Selected**  
Marsha Ternus was the first woman to serve as chief justice of the Iowa Supreme Court when she was selected in 2006. She was appointed to the Iowa Supreme Court in 1993.

**2009**

**Varnum v. Brien**  
The Iowa Supreme Court ruled a ban on same-sex marriage unconstitutional, one of the first state courts to rule this way, four years before the U.S. Supreme Court reached a similar decision.

**2011**

**Expanded Public Access**  
The Iowa Supreme Court and Court of Appeals began traveling to hear oral arguments in communities all across the state to give more Iowans the opportunity to view the work of the court.