

**IN THE IOWA DISTRICT COURT, SIXTH JUDICIAL DISTRICT OF IOWA**

<b>IN RE:</b>	)	
	)	<b>MISC. NO.</b> _____
<b>2008 FLOOD EMERGENCY</b>	)	
	)	<b>ADMINISTRATIVE</b>
	)	<b>ORDER</b>

The Linn County Courthouse and the Linn County Correctional Center have been flooded. Therefore, it is necessary to implement a disaster relocation plan for the courts of Linn County. It is anticipated that this flood emergency will last for an extended period of time due to extensive flood damage to the first floor of the Linn County Courthouse. In addition, the Benton County Jail has been flooded and cannot be used. This Administrative Order will be amended from time to time as necessary.

**IT IS HEREBY ORDERED:**

1. The Linn County Clerk of Court's office is temporarily relocated to the Jones County Courthouse in Anamosa, Iowa. The telephone number is (319) 462-4346. The Linn County Clerk of Court will accept faxes of **signed** court orders at (319) 462-5827 until further order of Court. The original document shall be promptly filed with the Clerk of Court. All other documents shall be filed with the Linn County Clerk of Court at the Jones County Courthouse in Anamosa in person or by mailing to the following address: Linn County Clerk of Court, P.O. Box 1468, Cedar Rapids, Iowa 52406-1468. The Linn County Clerk of Court will not accept any faxes other than **signed** court orders.
  
2. Except as otherwise provided in this Order, all Linn County court offices formerly located at the courthouse will be relocated to the Kirkwood College Continuing Education Center, 7725 Kirkwood Boulevard, Cedar Rapids, Iowa. As soon as telephone numbers are established, an amended Administrative Order will be issued. Except as otherwise ordered, all Linn County hearings and trials will be conducted at the Kirkwood facility.
  
3. Initial appearances for persons arrested for all offenses except forcible felonies will take place at the Department of Correctional Services, 901 29<sup>th</sup> Street, S.W., Cedar Rapids, Iowa.
  
4. Persons arrested for forcible felonies in Linn County will be held at the Jones County Jail. Jones County Magistrates Matthew McQuillan and Robert Shimanek are authorized and directed to conduct initial appearances for these persons at the Jones County Courthouse in Anamosa, Iowa.

5. An Associate District Judge or an Associate Juvenile Judge will be located at the Juvenile Detention Center, 800 Walford Road, S.W., Cedar Rapids, Iowa.

6. Effective immediately, at least one District Judge and at least one District Associate Judge will be available at the Kirkwood Community College Continuing Education Center. A District Judge will also be available in Jones County. Court Administration staff and the Clerk of Court will be relocated to the Kirkwood Community College location as soon as possible.

7. All court hearings and trials which were previously scheduled in Linn County for the week of June 16<sup>th</sup> through June 20<sup>th</sup>, inclusive, are continued until further order of Court. Court Administration will notify counsel and self-represented litigants of the new hearing and trial dates. Hearings and non-jury trials scheduled to commence on or after June 23<sup>rd</sup>, 2008, will be held as scheduled unless counsel or self-represented litigants are notified otherwise by Court Administration.

Linn County jury trials scheduled to commence on June 23<sup>rd</sup>, 2008, and for at least the 60-day period following June 23<sup>rd</sup>, 2008, will be reviewed on a case-by-case basis. Criminal cases with speedy trial demands will have priority. There is not sufficient space to conduct a jury trial at our Kirkwood facility. A search for alternative facilities for jury trials in Linn County is underway. Court Administration will notify counsel and self-represented litigants of the status of their jury trial on a case-by-case basis.

Linn County Drug Court will be held in the Linn Room of the Faches Center at the Department of Correctional Services at the regularly scheduled times.

Linn County mental and substance abuse commitment hearings will be held at the Cedar Rapids hospitals in accordance with previous practice.

8. In Johnson County, all hearings and trials will be held as scheduled unless counsel and self-represented litigants are notified otherwise by Court Administration.

9. In Benton County, Iowa County, Jones County and Tama County, all hearings and trials will be held as scheduled unless counsel and self-represented litigants are notified otherwise by Court Administration.

10. Iowa County Magistrates Thomas Buchanan and Robert Leinen are authorized and directed to conduct initial appearances on any Benton County inmates who are housed in the Iowa County Jail. Tama County Magistrates Chad Frese and Ann Kuhter are authorized and directed to conduct initial appearances on any Benton County inmates housed in the Tama County Jail.

11. All Defendants who were ordered to report to the Linn County Correctional Center

to serve a jail sentence that was to commence between June 11<sup>th</sup>, 2008, and June 30<sup>th</sup>, 2008, inclusive, shall instead report in person between 8:30 a.m. and 10:00 a.m. on Monday through Friday, June 23<sup>rd</sup>, 2008, to June 27<sup>th</sup>, 2008, inclusive, at Room 159D at the Kirkwood College Continuing Education Center, 7725 Kirkwood Boulevard, Cedar Rapids, Iowa, to obtain a new Order for a date and time to report to the Linn County Correctional Center. An arrest warrant may be issued for any Defendant who has not appeared at the Kirkwood facility by 10:00 a.m. on June 30<sup>th</sup>, 2008, if their time to report to Linn County Correctional Center has passed.

12. All initial appearances on Linn County criminal charges and traffic tickets, including rocket docket, are scheduled for 8:30 a.m., Monday through Friday, commencing June 23<sup>rd</sup>, 2008, at the Kirkwood facility. An arrest warrant may be issued for any Defendants who have not made their initial appearance by 8:30 a.m. on June 30<sup>th</sup>, 2008, if the date for their initial appearance has passed.

Dated this 16<sup>th</sup> day of June, 2008.

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**DAVID M. REMLEY, CHIEF JUDGE**  
**SIXTH JUDICIAL DISTRICT OF IOWA**  
E-mail: [david.remley@jb.state.ia.us](mailto:david.remley@jb.state.ia.us)  
Telephone No.: (319) 462-2275