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PRESS RELEASE

PETITION FOR DECLARATORY JUDGMENT
FIREARMS – MONROE COUNTY COURTHOUSE

Monroe County Iowa is asking the court for clarity on whether firearms can be prohibited in the courthouse. A law passed last year by the Iowa legislature clashes with Chief Justice Mark Cady's order.

The Monroe County Board of Supervisors unanimously agreed to file a declaratory judgment to seek clarity on the issue. The legislature is telling Monroe County one thing and the Supreme Court is telling it to do another thing. The legislature is telling us that the only place firearms can be banned is in courtrooms, the jury room and the clerk's office. Monroe County Iowa is a joint – use three-story building. The magistrate's court is located on the first floor, the clerk's office the second floor, and the jury room and the District Courtroom on the third floor. Users of the court system use the public access areas when they use the court system.

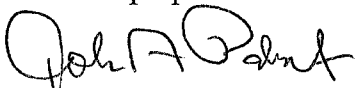
The county attorney told the Board that he could not ethically advise the Board to ignore an order of the Iowa Supreme Court.

Hf 2502 also states that when firearms are prohibited in a courthouse, counties would need to screen people for firearms and other weapons and provide armed security in the building. Monroe County estimates that the cost for providing those services would be at least \$300,000 per year. No funds were provided by the state. The County is asking the Court to determine whether or not pursuant to chapter 25B of the Iowa Code that this is an unfunded mandate and therefore unenforceable.

In summary, Monroe County is asking the Court to tell us whether to follow Chief Justice Mark Cady's order or the Iowa legislation. That is the County's request.

By analogy, this action is similar to a matter the county attorney confronted as a child. My mother told me to do one thing and my father told me to do another thing. I called them together to clear the air and tell me what to do.

That is purpose of the suit.



John A. Pabst Monroe County Attorney