

EXECUTIVE COUNCIL OF IOWA AGENDA

State Capitol - Robert D. Ray Conference Room (G09) 10:00 a.m.

MARCH 14, 2016

1. Approval of minutes of meeting held February 29, 2016
2. Eric Tabor, Chief Deputy Attorney General, Attorney General's Office will be present to request distribution from the Civil Reparations Fund.
TAB # 1
3. Outside Counsel – Page 1
TAB # 2
4. Emergency Allocations – Page 1
5. Payment of Cost Items – Pages 1 - 3

3. Outside Counsel

- A. The Department of Justice, Attorney General's office requests retention of outside counsel pursuant to Iowa Code section 13.3(1) in Jasmina Tartic v. Department of Justice, Attorney's General's Office and State of Iowa, a workers' compensation case filed by a state employee.

Firm: Patterson Law Firm, L.L.P.

Attorney: Ryan Clark

505 5th Avenue

Suite 729

Des Moines, Iowa 50309

Rate: \$120.00 per hour

TAB # 2

4. Emergency Allocations

- A. Iowa Communications Network is requesting an emergency allocation in the amount of \$10,836.01. On November 2, 2015 ICN cable was damaged due to a mudslide along Highway 14, Near Post 62 in Jasper County. Request is to cover repair costs.

The State Auditor's Office has reviewed this request and recommends allocation, subject to audit of actual invoices and supporting documentation and demonstration that no costs covered by the maintenance contract have been included.

5. Payment of Cost Items

- A. Barnes & Thornburg LLP..... \$142.50

One North Wacker Drive, Suite 4400

Chicago, IL 60606

Peregrine Financial Group (PFG) Bankruptcy

Jeffrey Thompson, Solicitor General, Attorney General's Office has reviewed this invoice and recommends payments. Payment will be made by UNI.

- B. Dorsey & Whitney.....\$442.00

801 Grand Avenue, Suite 3900

Des Moines, IA 50309

2009-2010 Series of I-Jobs Bonds

Jeffrey Thompson, Solicitor General, Attorney General's Office, has reviewed this invoice and recommends payment. Payment will be made from the Revenue Bonds Debt Service Fund.

- C. Davis Brown Law Firm.....\$54.00
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309-3993
Unclaimed Property Probate Matters & Employee Retirement Income Security Act (ERISA)

Jeffrey Thompson, Solicitor General, Attorney General’s Office, has reviewed this invoice and recommends payment. Payment will be made from the Unclaimed Property Fund.

- D. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$168.75
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309-3993
Legal Services to state agencies on issues related to the visa status of prospective state employees

Jeffrey Thompson, Solicitor General, has reviewed this invoice and recommends payment. Payment will be made from the funds of the OCIO

- E. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$382.07
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309-3993
Legal Services to state agencies on issues related to the visa status of prospective state employees

Jeffrey Thompson, Solicitor General, has reviewed these invoices and recommends payment. Payment will be made from the funds of the Department of Revenue.

- F. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$410.00
 The Davis Brown Tower
 215 10th Street, Suite 1300
 Des Moines, IA 50309-3993
Represent Iowa in copyright, trademark, and patent legal advice for various agencies

Jeffrey Thompson, Solicitor General, Attorney General’s Office has reviewed this invoice and recommends payment. Payment will be made from the funds DOT.

- G. Richard J. Bennett, Sr. \$2,610.00
Attorney at Law
5610 Waterbury Circle
Des Moines, IA 50312
Iowa Court of Appeals/Iowa Supreme Court Cases

Jeffrey Thompson, Solicitor General, Attorney General's Office has reviewed this invoice and recommends payment. Payment will be made from the Attorney General's Office's Forfeiture Fund.

- H. Department of Administrative Services.....\$4,796.00
September 18, 2015 a lighting strike caused damage at the Ankeny Lab.
Request was to cover repair costs.

The State Auditor has reviewed this request and recommends payment. This represents full and final payment and this allocation will be closed.

- I. Department of Public Safety.....\$4,366.60
On October 28, 2015 vehicle #338 was damaged as the result of hitting a deer on HWY 30. Request was to cover repair costs

The State Auditor has reviewed this request and recommends payment. This represents full and final payment and this allocation will be closed.

THOMAS J. MILLER
ATTORNEY GENERAL



ERIC TABOR
CHIEF DEPUTY ATTORNEY GENERAL

Iowa Department of Justice

ADDRESS REPLY TO:
1305 E. Walnut Street
Des Moines, IA 50319
www.IowaAttorneyGeneral.gov

Telephone: 515/281-5191
Eric.Tabor@iowa.gov

2016 MAR -9 AM 9:38
EXECUTIVE COUNCIL

March 3, 2016

GeorgAnna Madsen
Executive Secretary
Executive Council of Iowa
Capitol Building
Des Moines, IA 50319

Dear Ms. Madsen:

It is our understanding that there is approximately \$16,154.00 in the Civil Reparations Trust Fund ("Fund") and that distribution of monies in the Fund will be on the agenda for the Executive Council's meeting scheduled for March 14, 2016.

In recent years, the Attorney General's Office ("Office") has made recommendations to the Executive Council concerning the distribution of monies in the Fund. The Office has done this because it has statutory and contractual relationships with the two largest organizations that normally request and receive money from the Fund - Iowa Legal Aid ("Legal Aid") and the Iowa Mediation Service ("IMS"). Iowa Code §§13.13 and 13.34.

The Executive Council's rules set out factors for distributing monies in the Fund. These factors include the following: (1) the purpose for which the money will be utilized, (2) the availability to applicants of alternative sources of money, and (3) the number of indigent people who will be served by the money. 361 Iowa Admin. Code 12.4.

Both Legal Aid and IMS have suffered cuts in funding. However, IMS has a much smaller FY16 budget than Legal Aid and no other state support. (Legal Aid received a \$2.4 million appropriation for FY16). The relatively small amount to be allocated from the Fund would provide a much greater benefit to IMS in meeting its FY16 budget needs. For this reason, the Office encouraged IMS to apply for funds. The Office also communicated to Legal Aid that it would recommend that the Executive Council allocate the available monies in the Fund to IMS. Legal Aid indicated it would not apply for funding.

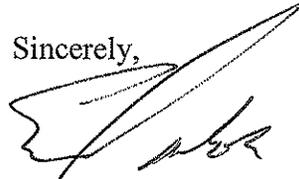
IMS has applied to use the money for a proper purpose under the statute which established the Fund, i.e. an indigent civil litigation program. Iowa Code §668A.1(2)(b).

GeorgAnna Madsen
Page 2

Therefore, the Office recommends that the Executive Council maintain approximately \$6,154.00 in the Fund as a reserve and distribute \$10,000.00 to the Iowa Mediation Service.

Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Tabor', written over a faint outline of the state of Iowa.

ERIC TABOR
Chief Deputy

EXECUTIVE COUNCIL
2016 FEB 26 PM 2:07

Executive Council of Iowa
Capitol Building
Des Moines, Iowa 50319
Phone: 515 281-5368
FAX: 515 281-7562

REQUEST FOR CIVIL REPARATIONS FUNDS

Date 02-10-16 Amount Requested \$10,000
Organization Iowa Mediation Service
Contact Kiley Mars ~ Executive Director
Address 1441 29th Street, Suite 120
City, State, Zip West Des Moines, IA 50266
Phone 515-331-8081 x204 Fax 515
Email kiley@iowamediation.com

Briefly describe how the funds will be used: These funds will be used to provide agricultural mediation services to farmers and creditors across Iowa per Iowa Code 654(A)(B)(C). Agricultural mediation is performed on a federal level per U.S. Code: Ag Credit Act of 1987 as amended, which provides a match on a 70/30 basis. Funds will be used to provide mediation services for borrowers and creditors, which includes preparation, travel, mediation, documentation and follow-up. (See attached documentation).

How many people will be served with this money? ~2500 to 3000 Iowans

What other sources of funds are available to your organization?
USDA Ag Credit Act Funds (1A940-1-022); Mediation fees from creditors/borrowers

Have you received funds previously? Yes No

If yes, what is the amount remaining at this time? \$ 0

Were the funds used in the manner described in the previous application? Yes No

If no, how were they used? N/A

Requested by: Kiley Mars Date: 02-09-16

EXECUTIVE COUNCIL

THOMAS J. MILLER
ATTORNEY GENERAL

2016 MAR -7 AM 9:47



JEFFREY S. THOMPSON
SOLICITOR GENERAL

Iowa Department of Justice

ADDRESS REPLY TO:
1305 E. Walnut Street
Des Moines, IA 50319
www.IowaAttorneyGeneral.org

Telephone: 515/281-4419
Fax: 515/281-4209
Jeffrey.Thompson@iowa.gov

March 2, 2016

GeorgAnna Madsen
Executive Secretary
Executive Council
State Capitol
L-O-C-A-L

Re: Retention of Outside Counsel

Dear GeorgAnna:

Our office requests appointment of outside counsel pursuant to Iowa Code section 13.3(1) in *Jasmina Tartic v. Department of Justice, Attorney General's Office and State of Iowa*, a workers' compensation case filed by a state employee. Because this employee works in our office, our Special Litigation Division has contacted Ryan Clark of the Patterson Law Firm, L.L.P., 505 5th Avenue, Suite 729, Des Moines, Iowa 50309-2390, to represent the State of Iowa. Mr. Clark has agreed to represent the State at the rate of \$120.00 per hour.

Accordingly, we request Executive Council approval to retain Mr. Clark to represent the State of Iowa in this case.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey S. Thompson", with a long horizontal flourish extending to the right.

JEFFREY S. THOMPSON
Solicitor General

cc: Julie Burger