



Homan, et al, v. Branstad
Juvenile Home Closure Case

STATEMENTS ON SUPREME COURT DECISION

May 29, 2015 – Des Moines, Iowa

Today, the Iowa Supreme Court essentially declined to decide whether or not the Governor acted unconstitutionally in closing the Iowa Juvenile Home in Toledo, declaring the issue moot due to the fact that since the legislature had not made additional appropriations since the facility was closed.

Attorney Mark Hedberg:

“What the Supreme Court has done is not surprising. They basically stayed out of a dispute between branches of government when the end result would not have changed the facility still being closed. We can understand that, but fear the message of the decision can be that the governor can act illegally as long as he can be effective at running out the clock—something that he appears to still be willing to do and the court may very well be faced with more of these issues of executive overreach.”

Attorney Nate Boulton:

“This decision indicates that this governor has once again acted illegally, but since the legislature failed to keep appropriating funds to a closed facility the issue was no longer one where a real remedy existed. While we certainly would have liked for the Supreme Court to have expressed as clearly as the district court had that the Governor did not have the authority to unilaterally negate the legislative process, we do accept this as a reasonable result that should still remind this governor of the constitutional limits to his power in the future.”

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