



Dedicated to improving our civil justice system



IOWA DEFENSE COUNSEL ASSOCIATION

# DEFENSE UPDATE

WINTER 2026 VOL. XXVII, No. 4

Find us on LinkedIn

## Get off My Lawn! (Unless You're Having Fun): A "Nature Study" of Iowa's Recreational Use Statute

By Frederic Hayer



Frederic Hayer

As most readers of the Defense Update are likely already aware, Iowa's "Recreational Use Statute" provides important protections that may aid in the defense of premises liability claims. While the statute itself is only three pages and well worth reading on its own, I will try to summarize it in three sentences:

The Statute protects people in control of a property—called "Holders". The Statute protects Holders by limiting their duties to people using the land for a recreational purpose. Recreational purposes are explicitly defined in the statute and include fun outdoor activities—like hunting, camping, and playing sports.

See Iowa Code Chapter 461C, "Public Use of Private Lands and Waters".

As can be gleaned from the Statute's title, it was first implemented with the goal of incentivizing private owners to open their land to the public. See *Sallee v. Stewart*, 827 N.W.2d 128, 141 (Iowa 2013). States began enacting recreational use statutes in the sixties to meet the rising demand

Continued on page 3

### EDITORS

- Brent Ruther, Aspelmeier, Fisch, Power, Engberg & Helling, P.L.C.
- Joshua Strief, Elverson Vasey, LLP, Des Moines, IA
- Susan M. Hess, Hammer Law Firm, P.L.C., Dubuque, IA
- William H. Larson, The Klass Law Firm, LLP, Sioux City, IA
- Zack A. Martin, Heidman Law firm, PLLC, Sioux City, IA
- Benjamin J. Patterson, Lane & Waterman LLP, Davenport, IA
- Nick Moreland, Lederer Weston Craig, PLC, Des Moines, IA
- Frederic C. Hayer, Aspelmeier, Fisch, Power, Engberg & Helling, P.L.C.

### WHAT'S INSIDE

Get off My lawn! (Unless You're Having Fun):  
 A "Nature Study" of Iowa's Recreational Use Statute..... 1  
 IDCA President's Letter ..... 2  
 New Member Profile ..... 6  
 Case Law Update ..... 7  
 Contributing Fellows Program..... 11

## IDCA President's Letter



**Sean M. O'Brien**  
IDCA President

"A husband is a man who wishes he had as much fun when he goes on business trips as his wife thinks he does." I thought this quote from Ann Landers, a Sioux City native, would be a good way to start an article on business travel for the Iowa defense lawyer. Business travel seemed shiny and exciting as I began my legal career, but it quickly lost its luster after the inevitable flight delays, inclement weather, car troubles, etc. With the advent of video conferencing, we can all practice law fairly effectively from our desks. I think, however, that personal appearances still serve an important purpose. A mentor once shared some sage advice with me: take the opportunity during business travel to do something just for you. So, here are a few gems I've discovered during my own travels.

Let's start with places to eat. I prefer to dine at a sit-down restaurant rather than grabbing fast food to go. I like to use the time after a deposition to take notes and put together an outline for a client report. Here are some Iowa gems you should try:

- The Twisted Tail, Beebeetown. The Twisted Tail hails itself as a steakhouse and saloon, but it may be best known for its burgers. I dare you to try the Ultimate Burger. Located north of the I-880 connector between I-80 and I-29, I try and hit this spot on trips to Council Bluffs or Sioux City.
- Sister Sarah's, Algona. Sister Sarah's is a great place to grab a soup and sandwich for lunch. A visit would not be complete, however, without a viewing of the world's largest Cheeto. It sits on a small velvet pillow in a glass-enclosed box on a mantel across from the bar.
- Colony Point, Williamsburg. This sandwich shop sits in a BP gas station at the Williamsburg outlet mall. I love

the homemade sandwiches and sweets. The brownies and fudge are favorites, but there are usually many other options. They have a seating area where you can spread out and work while you eat.

If you happen to have a few minutes to spare, here are some fun stops you can hit in 30 minutes or less:

- Well's Visitor Center & Ice Cream Parlor, Le Mars. Le Mars has been dubbed the Ice Cream Capital of the World. A trip through town would not be complete without a stop at the Well's Visitor Center for some interactive ice cream experiences and a couple of scoops.
- Riverside History Center, Riverside. Riverside is the future birthplace of Captain James T. Kirk, USS Enterprise, according to the book by Gene Roddenberry. The history center has some Star Trek exhibits and, curiously, a tombstone to mark the Captain's future birth. This is a great selfie opportunity for Star Trek fans.
- Castles of Ida Grove. Byron Godbersen, the founder of Midwest Industries, had an affinity for castles. He or his company built a number of castle-like structures around town. Be sure to check out Skate Palace and Lake LaJune Estates to the east of town. It is a private housing development, but a fun drive by if you find yourself in the area.

For overnight trips, try one of these unique places to stay:

- Hotel Grinnell, Grinnell. Hotel Grinnell once served as a junior high school. So, you get to sleep in an old classroom. The former locker rooms now house the Periodic Table, a lovely bar. Situated near the town square, there are a number of restaurants within walking distance.
- Hotel Winneshiek, Decorah. This hotel has stately architecture and amenities. The most difficult choice you'll have to make is whether to enjoy a Toppling Goliath at the bar or venture out to the brewery east of downtown.
- The Blackhawk Hotel, Davenport. I can remember when the BlackHawk Hotel had fallen into a state of disrepair. A \$46 million renovation completed in 2010 returned it to luster. It is conveniently situated downtown near the riverfront, and it has a top notch dining room.

I hope you get a chance to visit one of these recommendations. I'd love to hear about your favorites as well. Happy travels.

Sean O'Brien



Continued from Page 1

for outdoor recreational spaces. *Id.* at 133–35. While every state now has its own recreational use statute, Iowa's Statute has undergone modern developments which make it one of the most protective of landholders and, therefore, a formidable tool to limit claims or dispose of entire cases outright. See Michael J. Lunn, Note, *Class Dismissed: Forty-Nine Years Later, Recreational Use Statutes Finally Align with Legislation's Original Intent*, 20 Drake J. Agric. L. 137, 147, 152–53 (2015).

Because the application of the Statute's immunity can be so powerful, it is worth giving it some consideration even in cases where it may not seem to fit. This is especially true because the protections of the Statute can seem counterintuitive and the Statute's exact contours have not yet been fully explored. Therefore, the intent of this Article is to describe the Statute's known boundaries and discuss which of its aspects present fertile ground for testing the true scope of its protection.

## THE SETTLED LANDSCAPE

Through its over 50 years of existence, Iowa's Recreational Use Statute has been subjected to its fair share of judicial analysis and legislative amendments. While our Supreme Court has interpreted the Statute multiple times since its enactment, Justice Appel's majority opinion in the 2013 *Sallee v. Stewart* case offers the most exquisite expatiation upon the subject. However, the main holding in *Sallee* drew a significant amount of public controversy and was quickly superseded by the legislature amending the Statute to address issues raised by *Sallee*.

### EDUCATIONAL ACTIVITIES ARE INCLUDED WITHIN THE DEFINITION OF "RECREATIONAL PURPOSE"

The primary holding of *Sallee* was that playing in a hayloft while on a field trip tour of a farm did not constitute a recreational purpose and that, therefore, the Statute did not protect landholders from liability for injuries suffered when a chaperone fell through a hayloft while accompanying a school field trip. See *Sallee*, 827 N.W.2d at 153. The 2013 amendments to the Statute, explicitly countered this result by adding "educational activities" to the enumerated list of recreational purposes and by including "the activity of accompanying another person who is engaging in [an enumerated recreational purpose]" within the scope of "recreational purpose". Thus, the 2013 amendments to the Statute leave no doubt that the Statute should apply to educational activities—including field trips to farms—and also limit landholder liability to chaperones.

### LAND DOES NOT NEED TO BE OPEN TO THE GENERAL PUBLIC

Prior to *Sallee*, the 1990 *Peterson v. Schwertley* case stood for the proposition that the Statute protected landholders even when the injured recreational user was trespassing without permission. 460 N.W.2d 469, 471 (Iowa 1990) ("In reading these statutes, we are convinced that there is no 'permissive use' qualification attached to the broad abrogation of duty contained in [the Statute]."). In that case, our Supreme Court reasoned that, even though the stated purpose of the Statute is to incentivize landholders to allow others to recreationally use their land, this purpose is better served by limiting liability toward all recreational users rather than subjecting landholders to the possibility of defending disputes about whether the injured party had permission. See *id.*

In dicta, the *Sallee* Court questioned the efficacy of this approach but declined to address whether *Peterson* was still good law because it could resolve the case on other grounds. See *Sallee*, 827 N.W.2d at 149 ("If the statute applied to posted property not open to the public, as *Peterson* suggests, what incentive does it give to a landowner to open his or her lands to the public?"). Even so, in apparent response to this commentary, as a part of the 2013 amendments to the Statute, the legislature added to the definition of "Land" to include "land that is not open to the general public."

If this wasn't enough, a recent case from the Court of Appeals analyzed whether the disputed issue of land being open or not to the public precluded summary judgment and found that the Statute applied even where the land was not open to the public. See *Breitenstein v. Peterson*, No. 25-0004, 2025 LX 476957, at \*5 (Ct. App. Oct. 29, 2025) ("As an intermediate appellate court, *Peterson* binds us—particularly given the supreme court's express notation in *Sallee* that it declined to overrule *Peterson*. To the extent the intervening statutory changes offer any guidance, they weigh clearly in favor of extending protection to landowners like [defendants], whose land may not have been expressly opened to the general public but was nonetheless subject to recreational use as described in the statutes.").

Therefore, the question of whether land must be open to the public for the Statute to protect the landholders—although a genuine question based on the Statute's stated purpose of encouraging the opening of private land to the public, has been forcefully answered by legislative amendment and judicial discussion in favor of there being no requirement that land be open to the public for the Statute to apply.

### LIMITATIONS OF THE STATUTE'S PROTECTIONS

While undoubtedly a powerful provision providing profound protections to property possessors, the Statute does not grant

landholders absolute immunity for all injuries sustained on their land. The protections of the Statute take effect mainly by limiting the duty of care that the holder of land owes to those using the land for recreational purposes. See Iowa Code § 461C.3. While the exact scope of these limitations may be arguable, the Statute self-imposes some limits on its applicability.

First, the Statute does not limit landholder liability for the “willful or malicious failure to guard or warn against a dangerous condition, use, structure, or activity.” *Id.* § 461C.6(1). While a claim presenting a genuine triable issue along these lines would fall outside the Statute and at least survive summary judgment, ordinary negligence claims typically do not involve the facts necessary to present such a prima facie claim. To succeed on such claim, it must generally be shown that a defendant disregarded an obvious risk with a great likelihood of harm. See, 827 N.W.2d at 154.

Further, the Statute does not protect landholders who charge the recreational user of the land. See Iowa Code § 461C.6(2). “Charge” is defined as “any consideration, the admission price or fee asked in return for invitation or permission to enter or go upon the land.” *Id.* § 461C.2(2). Therefore, if any amount is charged to use the land, the Statute would not limit the duties of care owed by the landholder to the land user.

Finally, these protections only apply when the land is being used for a “recreational purpose” as defined by the Statute. *Id.* § 461C.3. While the recreational use statutes of some other states use expansive “includes, but is not limited to” language, Iowa’s Statute has no such provision. See *id.* § 461C.2(6). This fact was explicitly analyzed by the *Sallee* Court, however the legislature did not add this type of expansive language to the Statute in its recent amendments. See *Sallee*, 827 N.W.2d at 142. Instead, the Iowa legislature seems to prefer amending the Statute to specifically enumerate additional recreational purposes. For example, bicycle riding, jogging, and walking were added to the definition of “recreational purpose” in 2024.

Thus, because the legislature has not included expansive catch-all provisions into the definition of “recreational purpose”, the property must have been used for one of the enumerated recreational purposes. However, when interpreting whether this is the case, it should be kept in mind that the definition of “recreational purpose” also now includes accompanying a person engaging in a recreational activity and also “includes entry onto, use of, passage over, and presence on any part of the land in connection with or during the course of such activities.” See Iowa Code § 461C.2(6).

## UNCHARTED TERRITORY

Beyond the expansion in landholder protections created through the specific additions that have been made to the Statute’s definitions of “recreational purpose” and “land”, the Statute was amended after *Sallee* to be “construed liberally and broadly in favor of private holders of land to accomplish the purposes of [the Statute].” See *id.* § 461C.1. This liberal construction could lead to the Statute being raised as a defense against liability in circumstances where it previously did not apply.

## NEGLIGENT—BUT NOT WILLFUL OR MALICIOUS—LANDHOLDER ACTIONS

Before the 2013 amendments to the Statute, recreational use immunity only extended to premises liability. The *Scott v. Wright* decision delineated the premises liability shielded by the Statute from other forms of negligence. 486 N.W.2d 40, 42 (Iowa 1992). As summarized in *Sallee*, “the inquiry after *Scott* is whether the claim is based upon human error or natural hazards.” *Sallee*, 827 N.W.2d at 149. Under this framework, claims based on natural hazards would be barred by the Statute while claims based on human error would not. See *id.*

Justice Wiggins’ special concurrence in *Sallee* similarly separated premises liability claims—for which the Statute, if applicable, would protect landholders—from negligent supervision claims which would not be covered by the language of the Statute that only limited the duty of care along the lines of premises liability. See *id.* at 155.

In likely response to this interpretation where an otherwise immune landholder could face separate liability as a “tour guide”, the 2013 amendments to the Statute added that “...a holder of land does not owe a duty of care to others solely because the holder is guiding, directing, supervising, or participating in any recreational purpose . . . undertaken by others on the holder’s land.” See Iowa Code § 461C.3(2). Notably, where the preceding subsection limiting premises liability provides specifics about the duty of care that is limited, the added language only states that “a holder does not owe a duty of care to others . . .” Compare § 461C.3(1) with § 461C.3(2).

In light of the history of the 2013 amendments, a fair interpretation of the added language could be that, in addition to being protected from premises liability claims related to natural hazards of the land, owners are also protected from negligence claims related to their own human error in guiding, directing, supervising, or participating in the recreational purpose. Appellate courts have not yet addressed this argument, but, if accepted, Section 461C.3(2) would be the most important of all the Statute’s recent amendments because it would overturn the rule from *Scott*



and expand the limitation of landholder liability from mere natural hazards to human error as well.

### INTERACTION WITH OTHER STATUTORY LIABILITY

Assuming that the above analysis is correct and that the Statute limits landholder's liability for their own negligent actions while engaged in a recreational purpose, further legislative or judicial intervention may be required to reconcile the recreational use statute with other statutory provisions. For example, under the interpretation broadly limiting human error liability, a landholder participating in all-terrain vehicle riding—an enumerated recreational purpose—with a group of friends on the land would arguably not be liable for damages caused to another member of the group by the owner's ordinary negligence in participating in that activity. However, Iowa Code Chapter 3211.19 provides that an ATV owner is liable for any damage caused by the negligent operation of the ATV.

Other statutes which may overlap with Iowa's recreational use statute are 321G.17—establishing snowmobile owner and operator liability; 351.28—owner liability for dog bite damages; and 321.493—the vehicle owner consent statute. These and other similar statutes should be given consideration when analyzing how a claim may be affected by the recreational use statute. Furthermore, beyond statutes that expressly conflict with the recreational use statute's broad limitation of landholder liability, an argument could be made that the Statute limits negligence per se liability where a landholder violated a statute while guiding, directing, supervising, or participating in a recreational purpose.

These arguments, if accepted by Iowa Courts, would give Iowa's recreational use statute the virtue of, beyond eliminating premises liability claims, disposing of the multitude of alternative claims that may be brought in an effort to avoid total annihilation through summary judgment.

### UNTRADITIONAL CONTEXTS

While the original recreational use statutes evoke imagery of the "great outdoors" and large tracts of private land being opened up for the general public, it is now appropriate to question every assumption and analyze the Statute's applicability based on its plain language in the context of its recent liberalization. Along these lines, one should keep an open mind when analyzing whether the recreational use statute could limit liability under any claim because an argument for the Statute's application in a non-traditional context may very well exist.

One example of this is where the injured party is a relative of the landholder. It may be taken for granted that a parent, for example, would let their children use their property for recreational purposes, and there is no doubt that this is a common practice.

However, the recent clarification in *Breitenstein v. Peterson*—where summary judgment was affirmed in favor of the landowner for injuries suffered by their granddaughter's friend—that the Statute limits liability even where the land is not open to the general public at least opens the door for a colorable argument that landholders are protected from liability for injuries suffered even by close family members.

Another example could affectionately be called the "backyard barbeque". A suburban property owner invites a group of friends over to play volleyball in their backyard. Volleyball pretty fairly falls within the "other summer sports" category of "recreational purpose". And who is to say that a well-maintained lawn is not a "grassland" under the Statute's definition of "Land"? The friends come over, some playing volleyball while others relax in the backyard and fire up the grill.

Hypotheticals abound, but to elaborate on a few:

- What if a friend falls down as a pure accident while playing volleyball and gets injured?
- What if a non-volleyball playing friend accompanying their spouse trips on a tree root?
- What if a player gets hit in the face with the ball and gets a bloody nose?
- Does it matter if the one who spiked the ball is the property owner?
- What if the owner had negligently overinflated the ball and it exploded on impact?
- What if a rogue serve hits the grill and a hot coal burns someone's foot?

We can all imagine the host of claims and sub-allegations of negligence which could be brought against the owner in any or all of the above hypotheticals. While it might seem unconventional, at least a good faith argument could be made that Iowa's recreational use statute protects the owner in each instance.

Whether the Statute ultimately will be interpreted to do so, one important realization is that, although perhaps such an application seems untraditional, the hypothetical landowner was promoting recreational outdoor activity and for all we know was a well-meaning and good-natured individual—although they may have made a few honest mistakes along the way and maybe should have even known better. Having attained this realization, it is only right that this landowner should be defended and protected from liability—and Iowa's Recreational Use Statute may offer the ability to do so.

## CONCLUSION

Iowa's Recreational Use Statute has existed for over 50 years, but changes during the last 15 years have substantially expanded its scope of protection. Some aspects are well-delineated, while others are still open to further judicial interpretation or legislative intervention. Wherever its exact boundaries lie, the Statute is a powerful tool that defense counsel should approach with a fresh perspective and careful consideration because, not only can it effectively limit or dispose of entire claims through summary judgment, it may now—given its modern expansion and liberal construction—limit liability more broadly and in a wider array of circumstances than previously thought.

## New Member Profile



Chloe Kuehner

Chloe Kuehner is an associate attorney at Lederer Weston Craig, PLC. She practiced three years in Omaha before moving to Des Moines in 2025. Chloe practices civil litigation, including commercial litigation, personal injury, premises liability, and insurance defense.

Chloe earned her J.D. from Creighton University School of Law, after earning her bachelor's degree as a student athlete at the University of Nebraska at Omaha. In addition to IDCA, Chloe is a member of DRI, Omaha Bar Association, Polk County Bar Association, Dallas County Bar Association, Iowa State Bar Association, and the Nebraska State Bar Association.

In her free time, Chloe enjoys going on runs with her dog, watching soccer and baseball, and traveling. She's looking forward to meeting more IDCA members at future events.



**JON A. VASEY**

**515-243-1914**

**jon.vasey@elversonlaw.com**



# MEDIATION

**LIVE OR ZOOM • ANYWHERE IN IOWA**  
MEMBER OF AMERICAN ACADEMY OF ADR ATTORNEYS

**BODILY INJURY • PRODUCTS LIABILITY • PROPERTY DAMAGE**

## Case Law Update

By Zack A. Martin  
Heidman Law Firm, PLLC



Zack A. Martin

*KELCHNER V.  
CRST EXPEDITED  
INC.,—N.W.3D—,  
NO. 25-0607, 2025  
WL 3682990 (IOWA  
2025)*

### FACTUAL & PROCEDURAL BACKGROUND

CRST Specialized Transportation, Inc. (Specialized) is a transportation company that delivers goods

throughout the United States. Harley Kelchner, a Florida resident, is an independent contractor driver who, at all materials times, was under contract with Specialized. Specialized is incorporated in Indiana and has its principal place of business in Indiana. Specialized has been registered to do business in Iowa as a foreign corporation since 2020.

In 2024, Kelcher filed suit in the United States District Court for the Northern District of Iowa. Kelcher claimed that Specialized violated Iowa's business opportunity promotions statutes. In response, Specialized filed a motion to dismiss for want of personal jurisdiction. Kelchner resisted on three grounds: (1) Specialized consented to personal jurisdiction by registering as a foreign corporation and designating an agent for service of process in Iowa; (2) in any event, Specialized's other ties with Iowa are sufficient to establish personal jurisdiction; and (3) at a minimum, Kelchner should be allowed to conduct jurisdictional discovery prior to a ruling on Specialized's motion to dismiss.

The federal district court concluded that Specialized "consented to personal jurisdiction in the Iowa courts by registering with the secretary of state and designating an agent for service of process in Iowa," denying Specialized's motion to dismiss. Specialized then asked the court to either (1) certify its motion to dismiss order for interlocutory appeal to the United States Court of Appeals for the Eighth Circuit or, alternatively, (2) certify a question of state law to the Iowa Supreme Court. The court certified a question to the Iowa Supreme Court. The Iowa Supreme Court chose to answer the certified question.

### QUESTION PRESENTED

Under Iowa law, does a foreign corporation consent to the personal jurisdiction of the Iowa courts by registering to do business in Iowa and appointing an agent for service of process in Iowa when a plaintiff then serves the foreign corporation's designated agent?

### HOLDING

No, a foreign corporation that complies with the statutory requirements of conducting business in Iowa by registering and appointing an agent does not thereby consent to personal jurisdiction in Iowa so long as service is made on the appointed agent.

### ANALYSIS

After addressing the standard for answering a certified question of law from a federal court and determining that the criteria were satisfied, the Iowa Supreme Court next turned to a general discussion about jurisdiction. In particular, the certified question raised an issue of personal jurisdiction, more particularly, whether Iowa courts have personal jurisdiction over Specialized and similarly situated corporate entities. For a court to exert personal jurisdiction over a nonresident corporate defendant like Specialized, three requirements usually must be met:

1. the satisfaction of constitutional due-process limitations;
2. the existence of an independent source of law that authorizes the court's exercise of personal jurisdiction on the defendant; and
3. the completion of lawful service of process on the defendant.

To satisfy constitutional due process requirements for "specific jurisdiction," the foreign defendant must have directed its activities toward the forum state in a way that amounts to "purposeful availment" of the right to do business there. The plaintiff's claims must also "arise out of or relate to" the defendant's contacts with the forum. Determining whether an out-of-state party is subject to the specific jurisdiction of Iowa courts usually require a fact-intensive, case-by-case analysis of the relationship among the defendant's actions, the forum state, and the claims brought.

"General jurisdiction," a state court's power to "adjudicate any and all claims against a defendant without regard to whether the

claims relate to the forum state or the defendant's activities in the forum state," is usually limited to a state where the defendant is "essentially at home." For a corporate defendant, this essentially-at-home requirement is usually met only in two places: the state of incorporation and the state of the principal place of business.

Iowa's "independent source of law" satisfying the second requirement for personal jurisdiction is Iowa Rule of Civil Procedure 1.306, which "allows for the exercise of personal jurisdiction up to the federal constitutional limit." Finally, due process requires lawful service of process. A defendant can waive these requirements and be subject to a state court's jurisdiction by voluntarily appearing.

The Court began by recognizing the controlling inquiry as whether Iowa Code § 490.504, governing the registration of foreign corporations and requiring them to appoint agents for service, imposes personal jurisdiction on said foreign corporations. Like any statute, the interpretation of Iowa Code § 490.504 is governed by its text. However, one "special rule" of statutory interpretation includes the strict construction of "statutes providing extraordinary methods of securing jurisdiction over nonresidents."

Section 490.504 prohibits a foreign corporation from doing business in Iowa "until it registers" under chapter 490. Registration is achieved by delivering "a foreign registration statement to the secretary of state for filing." The registration statement must contain certain, required information about the foreign corporation. Specifically, the Court noted the significance of the requirement that the registration statement contain information related to the foreign corporation's registered agent.

Based on the relevant statutory language, the Court concluded that a foreign corporation's compliance with Iowa Code § 490.504 does not amount to consent to personal jurisdiction in Iowa's courts. The relevant portions of chapter 490 include no mention of "consent" or "jurisdiction," much less "personal jurisdiction." If the legislature had chosen to require consent to personal jurisdiction from every foreign corporation that registers and appoints an agent in Iowa, the legislature could have said so in the same express terms. But it did not.

Chapter 490's unambiguous text shows that the legislature chose not to require consent to personal jurisdiction from foreign corporations that register and appoint an agent for service. Even if the statute were ambiguous, the Court would still hold that compliance with Iowa's registration-and-agent-appointment requirements does not constitute consent to personal jurisdiction in Iowa, based on the principle that statutes providing jurisdiction over nonresidents be strictly construed.

## WHY IT MATTERS

Foreign corporation defendants gain substantial advantages, as the Court found that they are not subject to Iowa's general personal jurisdiction merely through statutory compliance with registration and agent appointment requirements. The decision strengthens foreign corporations' ability to challenge jurisdiction. Foreign corporations not otherwise subject to general personal jurisdiction can argue that a plaintiff's claims are unrelated to their Iowa contacts, defeating a claim of specific personal jurisdiction. Plaintiffs seeking to establish the existence of specific personal jurisdiction must do so through traditional constitutional standards rather than relying on statutory consent. As noted by the Court, whether a foreign corporation has purposefully availed itself of Iowa law and whether the claim(s) against it arose from its contacts with the state of Iowa will often, if not always, be a complex, fact-specific inquiry.

MINNESOTA LAWYERS MUTUAL'S

# Defense Program

INSURANCE SPECIFICALLY DESIGNED  
AND RATED FOR DEFENSE FIRMS

Members of IDCA have access to MLM's Defense Program - offering a lawyers' professional liability policy with preferred pricing and enhanced coverage.



IOWA  
DEFENSE  
COUNSEL  
ASSOCIATION

## Two Ways to Save

- **Preferred pricing** for firms with substantial insurance defense practice
- **A 5% membership credit** - Credit applied to premium on a per attorney basis

## Enhanced Coverage\*

- **Additional Claim Expense** - Benefit equal to one-half of the policy single limit, up to a maximum of \$250k per policy period
- **Increased Supplementary Payment Limit** - From \$10k to \$25k - this includes loss of earnings if you attend a trial at our request and coverage for costs and fees incurred defending disciplinary claims
- **Aggregate Deductible** - Caps the total amount the insured will have to pay in total deductibles regardless of the number of claims in a single policy period

\*Visit [www.mlmins.com](http://www.mlmins.com) for qualification details

*"We are proud that the IDCA has selected MLM as a partner to offer coverage to its membership. MLM has long been recognized as a financially stable and consistent carrier for Iowa lawyers, and we're thrilled to work in partnership with IDCA to benefit members of the association."*

Suzanne Robinson, President and CEO  
Minnesota Lawyers Mutual

Protect your firm with the **premium savings** and **enhanced coverage** offered to you as a member of the IDCA.

Apply for a quote online!

[www.mlmins.com](http://www.mlmins.com)



MINNESOTA  
LAWYERS  
MUTUAL  
INSURANCE COMPANY

Contact

Brenda Roe-Weaver

Regional Sales Director

(515) 380-5324

[brenda@mlmins.com](mailto:brenda@mlmins.com)



# It's Time To Renew Your Membership!

For over 60 years, the Iowa Defense Council Association (IDCA) has evolved to become a much-needed community in the defense of civil litigants in the State of Iowa. Your IDCA membership is critical to our collective success.

In 2026, IDCA will continue to offer opportunities to our members through advocacy, education and networking, including:

- Free webinars with CLE credit
- The 62nd Annual Meeting & Seminar in September in Central Iowa
- A subscription to “Defense Update,” IDCA’s quarterly newsletter
- Access to the IDCA website ([www.iowadefensecounsel.org](http://www.iowadefensecounsel.org)) forum where members can quickly ask for help, tips, and advice from other members. In addition, the forum contains valuable resources, including deposition transcripts jury verdicts and settlements.

We will continue to promote our mission and be “the trusted professional voice for the defense of civil litigants” through our advocacy efforts, including lobbying at the Capitol and filing Amicus Briefs when cases of significance to the bar or the defense practice arise.

**Please renew your IDCA membership for 2026.** On behalf of the board of directors, thank you for your continued investment in IDCA. Your membership dues invoice can be accessed by logging in to your online profile via the IDCA website. Questions can be directed to [staff@IowaDefenseCounsel.org](mailto:staff@IowaDefenseCounsel.org).

---

## Host a Webinar!

IDCA is recruiting speakers for its 2026 webinar calendar, and we invite you to participate as a presenter. Webinars are one hour long with a few minutes embedded for Q&A. IDCA webinars are a great opportunity for learning and to earn CLE hours.

Please reach out to Jessica ([staff@IowaDefenseCounsel.org](mailto:staff@IowaDefenseCounsel.org)) if you have a topic you’d like to present to the IDCA membership.



# Contributing Fellows Program

The Iowa Defense Counsel Association plays a critical role providing education, advocacy, and professional growth opportunities. The Contributing Fellows Program provides a way for individuals and law firms to invest in our long-term mission and ensure our continued impact for years to come.

**Thank you to our current Contributing Fellows:**

## Law Firm Fellows



Shuttleworth  
& INGERSOLL



WHITFIELD  
& EDDY LAW



## Individual Fellows

Thomas M. Braddy  
Christopher C. Fry  
Frederic C. Hayer  
Susan Hess  
Michele Hoyne  
Joshua J. McIntyre  
Sean M. O'Brien  
Brent Ruther  
Patrick L. Sealey  
Randall Stravers  
Joshua R. Strief  
Janice M. Thomas  
Jon A. Vasey



## Become a Contributing Fellow!

To make a donation to the IDCA Contributing Fellows Program, scan this QR code or visit <https://idca.memberclicks.net/contributingfellows/>



1255 SW Prairie Trail Parkway  
Ankeny, IA 50023

## 2025-2026 Board of Directors

**President** Sean O'Brien

**President-Elect** Jon A. Vasey

**Secretary** Joshua Strief

**Treasurer** Jace T. Bisgard

**Past President** Patrick L. Sealey

**District I** Christopher C. Fry

**District II** Karla Shea

**District III** William H. Larson

**District IV** Tom Braddy

**District V** Apryl DeLange

**District VI** Corinne R. Butkowski

**District VII** Brandon Lobberecht

**District VIII** Brent R. Ruther

**At-Large** Katie Gal

**At-Large** Bryn Hazelwonder

**At-Large** Michele Hoyne

**At-Large** Jason J. O'Rourke

**At-Large** Janice Thomas

**New Lawyers Rep** Spencer Vasey Dirth

**New Lawyers Rep** Frederic C. Hayer

**DRI Representative** Brenda Wallrichs

## Join IDCA

Do you know a colleague or a member of your firm that would benefit from joining IDCA?  
Please encourage them to sign on with IDCA by contacting [staff@iowadefensecounsel.org](mailto:staff@iowadefensecounsel.org)