

Bond Case Briefs

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Doe v. Western Dubuque Community School District

Supreme Court of Iowa - May 9, 2025 - N.W.3d - 2025 WL 1349436

Minor student and her parents, individually and on behalf of their child, brought action under pseudonyms against school district and its officials and employees, asserting claims of negligence, breach of fiduciary duty, and loss of consortium after student was assaulted by another student during school.

The District Court granted defendants' motion to dismiss. Student and parents appealed.

The Supreme Court held that:

- Application of any heightened pleading standards of Iowa Municipal Tort Claims Act (IMTCA) to claims not subject to the IMTCA's qualified immunity defense was erroneous; overruling *Nahas v. Polk County*, 991 N.W.2d 770;
- IMTCA's heightened pleading standards were not applicable to the common law tort claims;
- Student's and parents' use of pseudonyms did not, by itself, preclude their action by depriving trial court of jurisdiction;
- Rule of electronic procedure, which provided that names of minor children were protected information, did not require use of fictitious names for student's parents;
- As matter of first impression, parents were not allowed to use "Doe" pseudonyms for themselves and student;
- As matter of first impression, remedy for unwarranted use of "Doe" pseudonym was to afford student and parents opportunity to amend their pleadings to use parents' real names and student's initials; and
- Fiduciary relationship did not exist between the parties.