

**IN THE SUPREME COURT OF IOWA**

**No. 25–1417**

**Grievance Commission No. 2024-24304**

**ORDER OF PUBLIC REPRIMAND**

**IOWA SUPREME COURT  
ATTORNEY DISCIPLINARY BOARD,  
Complainant,**

**vs.**

**JAMES PATRICK BARRY,  
Respondent.**

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Pursuant to Iowa Court Rule 35.12, the Iowa Supreme Court Attorney Disciplinary Board (Board) reprimand of attorney James Patrick Barry, Muscatine, Iowa, has been filed with the clerk of this court with proof of service and a statement that Barry has not filed an exception to the Board’s recommendation within the time prescribed.

The court orders that the reprimand of James Patrick Barry be included in the records of this court as a public document.

Christensen, C.J., takes no part.

Copies to:

Justices of the Iowa Supreme Court  
Judges of the Iowa Court of Appeals  
Chief Judges  
District Court Administrators  
Clerks of Court  
Office of Professional Regulation  
Attorney Disciplinary Board  
The Iowa State Bar Association  
State Public Defender

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James Patrick Barry (regular and restricted certified mail)  
420 East 3rd St  
Muscatine, IA 52761

James Patrick Barry (regular and restricted certified mail)  
1813 Verde Avenue  
Muscatine, IA 52761



IOWA APPELLATE COURTS

State of Iowa Courts

**Case Number**  
25-1417

**Case Title**  
Board v. James Patrick Barry

So Ordered

A handwritten signature in black ink, appearing to read "Tom Waterman", written over a horizontal line.

Thomas D. Waterman, Justice

Electronically signed on 2025-09-25 15:30:41



# Attorney Disciplinary Board

OF THE SUPREME COURT OF IOWA

Judicial Branch Building ♦ 1111 East Court Avenue ♦ Des Moines, IA 50319  
515-348-4680 ♦ Fax: 515-348-4699 ♦ www.iowacourts.gov

July 21, 2025

James Patrick Barry  
420 East 3rd Street  
Muscatine, IA 52761

Re: LETTER OF PUBLIC REPRIMAND  
Our File: 2024-24304: Barry, James / ADB

Dear Mr. Barry:

The above complaint filed against you was considered by the Board at its recent hearing meeting.

The Board found that you engaged in the private practice of law, despite your role as the full-time Muscatine County Attorney. Iowa Code section 331.757 states in relevant part, "A full-time prosecutor shall refrain from the private practice of law." Although you have claimed that you have not engaged in the private practice of law because your representations have been pro bono or for friends and family, there is no exception to this mandate for pro bono work or otherwise free services. In fact, comment 2 to Iowa Rule of Professional Conduct 32:6.1—the rule governing pro bono services—recognizes that government lawyers may be prohibited from providing traditional legal services to clients who cannot or do not pay.<sup>1</sup>

Your engaging in the private practice of law violated Iowa Rule of Professional Conduct 32:1.16(a)(1).<sup>2</sup> Although you initially asserted that you had "not appeared in Court in Muscatine County, Iowa civil cases of any kind," a review of Iowa Courts Online showed that you represented a friend in Muscatine County Case No. LACV026702. While the matter did not go to trial, there was at least a trial scheduling conference in March 2023.

Additionally, the Board noted that you were on notice that you were prohibited from private practice as a full-time county attorney. You admitted that opposing counsel once confronted you on this issue. Furthermore, the Iowa Supreme Court noted in your

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<sup>1</sup> The comment states in part, "Legal services under these paragraphs consist of a full range of activities, including individual and class representation, the provision of legal advice, legislative lobbying, administrative rule making, and the provision of free training or mentoring to those who represent persons of limited means. The variety of these activities should facilitate participation by government lawyers, *even when restrictions exist on their engaging in the outside practice of law.*" (Emphasis added).

<sup>2</sup> Rule 32:1.16(a)(1) states that, with an exception not applicable here, "a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if the representation will result in violation of the Iowa Rules of Professional Conduct or other law."

2009 disciplinary opinion, "In January 2003, Barry's position as county attorney became full-time, which meant he could no longer continue the private practice of law."

It was the determination of the Board that you shall be, and hereby are, publicly reprimanded for the above conduct in violation of Iowa Rule of Professional Conduct 32:1.16(a)(1). In accordance with Iowa Court Rule 35.12, you are notified that you have 30 days from the date of completed service of this reprimand to file an exception hereto with the Grievance Commission clerk. Under Court Rule 35.12(1), failure to file such an exception "constitutes a waiver of any further proceedings and a consent that the reprimand be made final and public."

FOR THE IOWA SUPREME COURT  
ATTORNEY DISCIPLINARY BOARD



Tara M. van Brederode  
Director of Attorney Discipline

TMvB/tm vb