

CHAPTER 189
DISTRICT COURT OFFICERS
S. F. 571

AN ACT relating to district court officers, employees, and filing fees, and making an appropriation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 602.18, subsection 11, unnumbered paragraph 2, Code 1981, is amended to read as follows:

Notwithstanding this section, the number of district judges shall not be ~~increased--by--more--than--three--in--order--that--the--number--of--district--judges--shall--not~~ exceed ninety-two ~~ninety-five~~ during the period commencing with July 1, ~~1977~~ 1981 and ending at such time as the general assembly shall otherwise specify.

Sec. 2. As soon as possible after the effective date of this Act the supreme court administrator of the judicial department shall rank each judicial election district in descending order based on the application of the judgeship formula provided in section 602.18. The vacant judgeships that exist upon the enactment of this Act shall be apportioned, one to a judicial election district, among the three judicial election districts most deserving of additional district judges under the judgeship formula. Vacancies created by section 1 of this Act shall be filled as soon as possible after the effective date of section 1 of this Act.

Sec. 3. Section 605.35, Code 1981, is amended to read as follows:

605.35 DISTRICT COURT ADMINISTRATOR--~~DISTRICT-COURT-ADMINISTRATIVE-FUND~~. A district court administrator for each judicial district may be appointed by the chief judge of the district to perform such duties as may be assigned by the chief judge ~~of--the--district,--at--a--salary--to--be--fixed--by--order--of--that--chief--judge~~. The qualifications for appointment as a district court administrator shall be as established by the supreme court. District court administrators shall co-operate with the court administrator of the judicial department in developing necessary statewide district court administration policies, and the court administrator of the judicial department shall, from time to time, call conferences of the district court administrators. ~~The chief-judge-of-a--judicial--district--in--which--an--administrator--has--been--appointed--may--provide--for--the--establishment--of--a--district--court--administrative--fund,--in--which--shall--be--deposited--all--appropriated--funds--received--from--the--court--administrator--of--the--judicial--department--for--district--court--use,--and--out--of--which--all--expenses--of--the--district--court--administrator's--office--and--any--other--district--wide--expenses--may--be--paid. Expenses--not--covered--by--funds--appropriated--for--district--court--use--shall--be--assessed--to--and--paid--by--the--counties--in--the--judicial--district--in--the--same--manner--that--expenses--of--shorthand-reporters--are--assessed--to--and--paid--by--the~~

~~counties pursuant to section 605.9. The district court administrator shall report to the court administrator of the judicial department, at the request of the latter, all information respecting the district court administrative fund.~~ The office of district court administrator within each district shall consist of the district administrator and other employees as approved by the supreme court. The salary of a district court administrator shall be approved by the supreme court, and shall be not less than twenty-two thousand dollars per year and not more than thirty-four thousand dollars per year, provided that any person who is employed as a district court administrator on the effective date of this Act at a salary greater than this maximum amount shall be entitled to continue to receive the salary in effect for the person on the effective date of this Act. The expenses of operation of the offices of district court administrators shall be paid out of funds allotted by the supreme court to each of the offices of the district court administrators from appropriations made to the supreme court.

Sec. 4. Acts of the Sixty-ninth General Assembly, 1981 Session, Senate File 130, section 704, subsection 1, paragraph a, is amended to read as follows:

a. For filing a petition, appeal, or writ of error and docketing them, eight twenty-five dollars. Four dollars of the fee shall remain in the county treasury for the use of the county and ~~four~~ twenty-one dollars of the fee shall be paid into the state treasury ~~and deposited in the general fund of the state.~~ One dollar shall be deposited in the judicial retirement fund created in section 605A.4 to be used to pay retirement benefits of the judicial retirement system. The remainder of the fee shall be deposited in the general fund of the state. In counties having a population of one hundred thousand or over, an additional one dollar shall be charged and collected, to be known as the journal publication fee and used for the purposes provided for in section 618.13.

Sec. 5. Section 631.6, subsection 1, Code 1981, is amended to read as follows:

1. ~~Becket-fees-and-other-fees~~ The docket fee for a small claims action is eight dollars. Other fees imposed for small claims shall be the same as those required in regular actions in district court.

Sec. 6. There is appropriated from the state general fund to the supreme court for the fiscal year commencing July 1, 1981 and ending June 30, 1982, the sum of one hundred twelve thousand five hundred dollars, or so much thereof as is necessary to fund the additional judgeships created by section 1 of this Act. There is appropriated from the state general fund to the supreme court for the fiscal year commencing July 1, 1981 and ending June 30, 1982, the sum of six hundred thousand dollars, or so much thereof as is necessary to fund the expenses of operation of the offices of the district court administrators as provided in section 605.35.

There is appropriated from the state general fund to the supreme court for the fiscal year commencing July 1, 1982 and ending June 30, 1983, the sum of one hundred fifty thousand dollars or so much thereof as is necessary to fund the additional judgeships created by section 1 of this Act. There is appropriated from the state general fund to the supreme court for the fiscal

year commencing July 1, 1982 and ending June 30, 1983, the sum of eight hundred thousand dollars or so much thereof as is necessary to fund the expenses of operation of the offices of district court administrators as provided in section 605.35.

Sec. 7. Sections 1, 3 and 6 of this Act take effect October 1, 1981. All other provisions of this Act take effect as provided by law.

Approved June 17, 1981

CHAPTER 190
JUDICIAL MAGISTRATES
H. F. 211

AN ACT relating to the salary rate to be paid to judicial magistrates in counties which appoint an additional judicial magistrate and providing an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 602.58, Code 1981, is amended to read as follows:

602.58 ADDITIONAL JUDICIAL MAGISTRATE ALLOWED. In those counties which are allotted one judicial magistrate under section 602.57 or 602.59, the county judicial magistrate appointing commission may, by majority vote, decide to appoint one additional judicial magistrate. In those counties appointing an additional magistrate under this section, each magistrate shall receive a salary of ~~two-thousand-four-hundred-dollars-per-year~~ one-half the salary which would otherwise have been paid one magistrate.

Sec. 2. This Act takes effect from and after its publication in The Perry Daily Chief, a newspaper published in Perry, Iowa, and in The Monticello Express, a newspaper published in Monticello, Iowa, and is retroactive to January 1, 1981.

Approved March 20, 1981

I hereby certify that the foregoing Act, House File 211 was published in The Perry Daily Chief, Perry, Iowa on March 27, 1981 and in The Monticello Express, Monticello, Iowa on April 1, 1981.

MARY JANE ODELL, *Secretary of State*